

MINUTES OF THE MEETING OF THE
BOARD OF PUBLIC WORKS

MARCH 18, 1987

Dr. Edward Papenfuse, State Archivist
Hall of Records



State of Maryland
Board of Public Works
Louis L. Goldstein Treasury Bldg.
4th Floor
Annapolis, Maryland 21404
301-974-3443
March 27, 1987

William Donald Schaefer
Governor

Louis L. Goldstein
Comptroller

Lucille Maurer
Treasurer

James J. McGinty, Jr.
Secretary

2-2-9-92

870011

Distribution for the minutes of the Board of Public Works Meeting of:

March 18, 1987

Transcripts of each meeting are available for your use in the office of the Board of Public Works, Room 405 State Treasury Building. Tapes are on file in the Archives Division, Hall of Records, Annapolis, in the event you need additional information.

Honorable Earl F. Seboda
Honorable Constance Lieder
Ms. Meg Gardiner

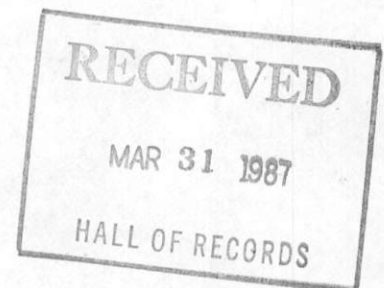
Dr. Edward C. Papenfuse
Mr. John R. Griffin
Honorable Winfield M. Kelly, Jr.

Honorable Ruth Massinga
Honorable Torrey C. Brown
Honorable William R. Hellman
Mr. Arnold G. Holz
Dr. David W. Hornbeck
Mr. F. Carvel Payne

Honorable Charles Smelser
Honorable Ellen R. Sauerbrey
Mrs. Constance Schuyler
Mr. Guy Hager
Honorable Bishop Robinson
Mr. Clifford Johnson

mb

Enclosure



MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
MARCH 18, 1987



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MINUTES OF THE MEETING OF THE BOARD OF PUBLIC WORKS, MARCH 18, 1987

The Board of Public Works met in the Office of the Governor, State House, Annapolis, Maryland, on Wednesday, MARCH 18, 1987.

Board Members present:

The Honorable William Donald Schaefer, Governor
The Honorable Louis L. Goldstein, Comptroller
The Honorable Lucille Maurer, State Treasurer

Also attending the meeting:

H. Louis Stettler, Secretary, Department of Budget & Fiscal Planning
Earl F. Seboda, Secretary, Department of General Services
Constance Lieder, Secretary, Department of State Planning

CONSTRUCTION:

General Construction Loan of 1973	General Construction Loan of 1980
General Construction Loan of 1974	General Construction Loan of 1981
General Construction Loan of 1975	General Construction Loan of 1982
General Construction Loan of 1976	General Construction Loan of 1983
General Construction Loan of 1977	General Construction Loan of 1984
General Construction Loan of 1978	General Construction Loan of 1985
General Construction Loan of 1979	General Construction Loan of 1986

On items where payments are to be made from proceeds of the above listed bond issues, full regard is given to the provisions of each Act and its prospective amendments.

Except as otherwise provided in these Acts, before the State agency or institution responsible for an individual item may begin work with funds secured under the Act, the agency or institution shall provide satisfactory assurances to the Board of Public Works that the work described in the individual items can be completed with the funds specified for that item.

If federal funds are available to help accomplish any project identified in these Acts, the State agency or institution responsible for the project shall make efforts through proper administrative procedures to obtain these federal funds. Before spending any funds secured under these Acts, the agency or institution shall certify its efforts to the Board of Public Works and state the reason for any failure to obtain federal funds. If federal funds are obtained, they shall be used to defray the costs of the project described in these Acts, not to expand its scope, except in the case of projects for State parks and recreation areas of the Department of Natural Resources funded from the proceeds of the General Construction Loans of 1973 through 1980. These latter projects may be expanded in scope beyond that proposed in the specific appropriation in these Acts if the addition of Federal funds makes this possible, but not beyond the total park acreage or area to which it applies, as evident from the master plan for State parks and recreation areas adopted by the Department of Natural Resources.

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

1. BOARD OF PUBLIC WORKS - WETLANDS LICENSE:80-126 Severn Corporation - REQUEST FOR RELEASE OF PERFORMANCE BOND

Formal approval in connection with the request of the applicant in the subject case for release of the performance bond in the amount of \$10,000.00 posted on April 2, 1980, pending completion of the works described in the license issued by the Board of Public Works on December 7, 1979. Full compliance with the terms and conditions of the subject license has been certified by the Department of Natural Resources. THEREFORE, IT IS HEREWITH RESPECTFULLY REQUESTED THAT THE BOARD OF PUBLIC WORKS APPROVE THE RELEASE OF PERFORMANCE BOND. This recommendation has been fully concurred with by the Water Resources Administration of the Department of Natural Resources.

Application received September 10, 1979
License issued December 7, 1979
Performance Bond posted April 2, 1980
Request for Bond Release March 5, 1987
Department of Natural Resources
certification of compliance March 11, 1987.

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

2. BOARD OF PUBLIC WORKS - WETLANDS LICENSES:

Formal approval in connection with the following application for wetlands licenses for projects involving dredging and filling in the navigable waters of Maryland under Title 9, Natural Resources Article, Annotated Code of Maryland (1983 Replacement Volume and Supplements). IT IS RECOMMENDED BY THE BOARD OF PUBLIC WORKS' HEARING OFFICER THAT LICENSE BE GRANTED AS INDICATED IN EACH OF THE FOLLOWING CASES IN ACCORDANCE WITH THE REGULATIONS GOVERNING STATE WETLANDS LICENSES PROCEDURES ADOPTED BY THE BOARD OF PUBLIC WORKS ON AUGUST 6, 1975. This recommendation has been fully concurred with by the Department of Natural Resources.

87-319

John Schmidt - to dredge a 125-foot long by variable 40 to 55-foot wide mooring area to a 2.0-foot depth at mean low water; to construct a 27-foot long timber breakwater; to deposit 138 cubic yards of dredged material on adjacent uplands - Knapps Narrows near Tilghman, Talbot County.

Application received October 21, 1986 -
Hearing held December 16, 1986 - DNR Report
and Recommendations approving works as
above described received March 9, 1987.

87-360

Ruth Boone - to fill, grade and stabilize with marsh plants 185 feet of eroding shoreline with 171 cubic yards of sandy fill extending to a maximum of 20 feet channelward of the mean high water line; to emplace 5, low-profile fill containment structures; to construct a 9 foot wide boat ramp extending approximately 10 feet channelward of the mean high water line - On Maxmore Creek near Double Mills Point, Talbot County.

Application received November 20, 1986 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received February 27, 1987.

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

2. BOARD OF PUBLIC WORKS - WETLANDS LICENSES (Continued)

87-362

John Cefalu - to construct and backfill 155 feet of replacement bulkhead within a maximum of 18 inches outboard of the mean high water line and an existing deteriorating bulkhead - On the Magothy River near Lake Placid Mainland, Anne Arundel County.

Application received November 24, 1986 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received February 27, 1987.

87-363

Gregory Connelly - to construct and backfill 100 feet of timber bulkhead within 18 inches outboard of an existing rubble revetment - On Seneca Creek near Bowleys Quarters, Baltimore County.

Application received November 14, 1986 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received February 27, 1987.

87-365

William C. Fleishell - to construct and backfill a 26 foot long timber bulkhead with 10 foot return within 1 foot channelward of the mean high water line - On North Point Creek near Edgemere, Baltimore County.

Application received December 3, 1986 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received February 27, 1987.

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

2. BOARD OF PUBLIC WORKS - WETLANDS LICENSES (Continued)

87-366

Herman Majerowicz - to construct and backfill approximately 225 feet of timber bulkhead within a maximum of 4 feet channelward of the mean high water line - On Dividing Creek at Arnold, Anne Arundel County.

Application received November 24, 1986 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received February 27, 1987.

87-367

Michel Plott - to construct and backfill 105 feet of replacement bulkhead within a maximum of 18 inches outboard of a deteriorating bulkhead - On the Magothy River near Lake Placid, Anne Arundel County.

Application received November 25, 1986 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received February 27, 1987.

87-396

Laurence E. Driggs, III - to fill, grade and stabilize with marsh plants 405 feet of eroding shoreline with 342 cubic yards of sandy fill extending to a maximum of 20 feet channelward of the mean high water line; to emplace 8 low-profile fill containment structures - In Maxmore Creek near Kirkham, Talbot County.

Application received December 8, 1986 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received February 27, 1987.

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

2. BOARD OF PUBLIC WORKS - WETLANDS LICENSES (Continued)

87-404

Paul Hankins - to emplace 230 feet of stone revetment at a maximum of 6 feet channelward of the mean high water line; to construct 150 feet of bulkhead at a maximum of 3 feet channelward of the mean high water line; and to construct a 35-foot long by 12 foot wide boat ramp 15 feet channelward of the mean high water line - Fishing Creek near Paw Paw Acres, Dorchester County.

Application received December 29, 1986 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received March 9, 1987.

87-411

Dolfield Contracting Co. - to hydraulically dredge a 600-foot long by 10 foot wide channel to a depth of 4 feet at mean low water; and to deposit approximately 900 cubic yards of dredged material on adjoining upland, and to provide for maintenance dredging for a six year period - Grey's Creek near Cape Pleasant Subdivision, Worcester County.

Application received December 12, 1986 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received February 27, 1987.

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

2. BOARD OF PUBLIC WORKS - WETLANDS LICENSES (Continued)

87-415

Department of Natural Resources, Tidewater Administration, Fisheries Division - to deposit approximately 15,000 cubic yards of stone pre-formed concrete modules, clean concrete rubble and concrete culvert pipe to create fish-attraction structures in open water varying from 28 to 32 feet deep; said works to be placed so as to maintain a minimum 18 foot-depth clearance at mean low water-Tangier Sound between Smith Island and Somerset County

Application received December 16, 1986 -
Hearing held February 19, 1987 - DNR Report and Recommendations approving works as above described received March 4, 1987.

87-416

Rod and Reel, Inc. - to construct a 405-foot long combination bulkhead/breakwater extending a maximum of 245 feet channelward of the mean high water line; to armor the bulkhead with stone riprap; to dredge a 40-foot wide by 260-foot long boat mooring area to 5 foot depth at mean low water; and to deposit 1300 cubic yards of dredged material on an approved upland site - Rod & Reel Restaurant on Chesapeake Bay at Fishing Creek, Calvert County.

Application received December 22, 1986 -
Hearing held February 20, 1987 - DNR Report and Recommendations approving works as above described received March 4, 1987.

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

2. BOARD OF PUBLIC WORKS - WETLANDS LICENSES (Continued)

87-435

H.W. & R.B. Barrick - to emplace 150 feet of stone revetment within a maximum distance of 10 feet channelward of the mean high water line - At end of South Avenue along Western Side of Wye River opposite mouth of Quarter Creek, Queen Anne's County.

Application received January 28, 1987 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received March 4, 1987.

87-489

Josef Straka - to construct and backfill a 200 foot-long bulkhead within a maximum of 3 feet channelward of the mean high water line - Potomac River at Cobb Island, Charles County.

Application received February 17, 1987 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received March 4, 1987.

87-490

Frederick T. Parker - to construct and backfill a 130-foot long replacement bulkhead within a maximum of 18 inches outboard of a deteriorated bulkhead - Pocomoke River adjacent to the MD Route 12 Bridge in Snow Hill, Worcester County.

Application received February 25, 1987 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received March 4, 1987.

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

2. BOARD OF PUBLIC WORKS - WETLANDS LICENSES (Continued)

87-491

Fair Hope Farm - to fill, grade and vegetatively stabilize with marsh plants approximately 390 linear feet of eroding shoreline with sandy fill extending a maximum of 30 feet channelward of the mean - Chester River at Broad Creek near Chestertown, Kent County.

Application received February 5, 1987 - No public hearing was held in accordance with Section 9-202, Title 9, Natural Resources Article. DNR Report and Recommendations approving works as above described received March 4, 1987.

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

With Discussion

Withdrawn

Without Discussion

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

3. DEPARTMENT OF NATURAL RESOURCES:
(FLOOD MANAGEMENT GRANT PROGRAM)

Submission of a request by the Department of Natural Resources for approval from the Board of Public Works to enter into a contract with Greenhome & O'Mara, Inc. and to encumber funds from the Comprehensive Flood Management Loan of 1980, Chapter 772, Acts of 1980, not to exceed \$79,647.00. The contract requires preparation of flood map overlays for local property tax maps for five non-tidal counties and the development of a technique to address scale discrepancies and related problems for preparing overlays for incorporated towns. The flood map overlays for thirty-three (33) towns will be prepared under a contract modification if the proposed method for dealing with scale problems is successful. The Board's action on June 26, 1985, Secretary's Agenda Item Number 25 approved the Department's request to negotiate for these products.

SUMMARY

Project Name: Flood/Tax Map Overlays - Non-Tidal Counties

Procurement Method: Competitive Sealed Bid Results:

<u>Firm</u>	<u>Cost</u>	<u>Rank</u>
Greenhome & O'Mara	\$ 79,647.00	1
Martel	\$ 79,998.00	2
Dewberry & Davis	\$114,238.00	3
Whitney Bailey Cox & Magnani	\$156,877.00	4

(copy enclosed)

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

4. DEPARTMENT OF NATURAL RESOURCES:
(FLOOD MANAGEMENT GRANT PROGRAM)

Submission of a request by the Department of Natural Resources for approval from the Board of Public Works to enter into an interagency agreement with Harford County to perform technical watershed studies of Grays Run, James Run, and Swan Creek, pursuant to the Board's action of Item 25 on November 21, 1984, and to encumber funds from the Comprehensive Flood Management Loan of 1983 (Chapter 569, Acts of 1983), not to exceed \$231,273.14. These studies will be performed in accordance with the Flood Hazard Management Act of 1976 (Subtitle 8-9A, Natural Resources Article), and the Flood Management Grant Program Policy adopted by the Board of Public Works on March 17, 1982 and revised on November 27, 1985.

These technical studies are prerequisite to the development of a Flood Hazard Management Plan and subsequent participation in the Comprehensive Flood Management Grant Program.

(copy enclosed)

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

5. MARYLAND FOOD CENTER AUTHORITY:

Submission of a request by the Maryland Food Center Authority for approval by the Board of Public Works of a Lease with Option to Purchase by and between the Maryland Food Center Authority and Mark M. Vandeyacht in which the Authority leases with option to purchase 9.4, plus or minus, acres located in the Maryland Wholesale Food Center in Jessup, Maryland to Mark M. Vandeyacht.

The Board of Directors of the Maryland Food Center Authority approved this transaction on January 29, 1987 for presentation to the Board of Public Works.

(copy enclosed)

Board of Public Works Action:

The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

6. WASHINGTON COUNTY DETENTION CENTER LOAN OF 1985:

Submission of evidence from the Director of Finance for Washington County that the County has expended its portion of the matching fund as required by Chapter 336 of the Acts of 1985 known as the Washington County Detention Center Loan of 1985.

Chapter 336 of the Laws of 1985 authorized the creation of a State debt in the amount of \$85,000.00 to be used as a grant to the Board of County Commissioners of Washington County for the purpose of the planning, design, construction, and equipping of the Washington County Detention Center, subject to the requirement that the Board of County Commissioners of Washington County provide at least an equal and matching fund for the same purpose. No part of the applicant's matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. No part of the fund may consist of real property or in kind contributions. The fund may include funds expended prior to the effective date of this Act.

The authorization was enacted to fund the State's portion of additional costs incurred in the construction of the Washington County Detention Center.

Construction costs for the Center totalled \$6,449,239.83. The Department of State Planning, in a letter dated January 21, 1985, determined that the State's portion of the additional costs are \$77,655.00. This is in addition to the \$3,000,000.00 provided by the Washington County Jail Loan of 1980 which has been paid previously. On November 1, 1985 a credit of \$1,448.00 was applied to the State's portion of the costs, thus reducing the amount due from the State to \$76,206.84.

Approval of this item will allow for the immediate reimbursement to Washington County since a transfer from the Capital Improvements Retainage Fund to fund this project has been previously approved by the Board of Public Works on October 16, 1985.

(copy enclosed)

Board of Public Works Action:

The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

7. WESTERN MARYLAND STATION CENTER
AND RAILROAD LINE LOAN OF 1985:

Submission of a request by the Western Maryland Station Center, Inc. that the Board of Public Works approve a certification by the Center that it has raised the final portion of the matching fund as required by Chapter 621 of the Acts of 1985.

Chapter 621 of the Laws of 1985 authorized the creation of a State debt in the amount of \$300,000.00 to be used as a grant to Western Maryland Station Center, Inc. for the purpose of the preservation, improvement, restoration, and development of the Western Maryland Station Center in Allegany County and the planning, design, construction, and development of a scenic railroad line in Allegany County, subject to the requirement that the Western Maryland Station Center, Inc. provide a matching fund for the same purpose. No part of the applicant's matching fund may be provided from State funds either directly or indirectly, in whole or in part. No part of the applicant's matching fund may consist of real property or in kind contributions.

The Western Maryland Station Center, Inc. certified to the Board of Public Works that it has raised the required matching fund for the initial project authorized by the legislation (preservation, improvement, restoration, and development of the Western Maryland Station). This was approved as Item 22 of the Secretary's Agenda on June 4, 1986.

The Vice President of the Station Center now certifies that the remaining \$150,000.00 of the required matching fund has been raised and that it is dedicated to the second project authorized by the legislation (planning, design, construction, and development of a scenic railroad line in Allegany County).

In addition to the certification, the Station Center has also submitted a Board of Public Works Capital Project Grant Application for approval. The projected cash flow is included in the Grant Application.

Approval by the Board of Public Works of each of these documents will allow the authorization of \$150,000.00 to be encumbered.

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

7. WESTERN MARYLAND STATION CENTER
AND RAILROAD LINE LOAN OF 1985: (Continued)

No State funds will be disbursed until after such time as the loan recipient has presented suitable evidence to the Comptroller that it has expended its portion of the required matching funds for this project. After the loan recipient has met this requirement, all future invoices will be submitted to the Comptroller, who shall disburse the State portion in amounts equal to the invoices submitted.

Bonds to support this project have not been sold.

(copy enclosed)

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BOARD OF PUBLIC WORKS

15

March 18, 1987

Secretary's Agenda

8. PENN-MAR ORGANIZATION, INC. LOAN OF 1986:

Submission of a request by the Penn-Mar Organization, Inc. that the Board of Public Works approve a certification that they have raised a matching fund of \$100,000.00 as required by Chapter 556 of the Acts of 1986 known as the Penn-Mar Organization, Inc. Loan of 1986.

Chapter 556 of the Laws of 1986 authorized the creation of a State debt in the amount of \$100,000.00 to be used as a grant to Penn-Mar Organization, Inc. for the purpose of the planning, design, construction, and equipping of a building on a site in Northern Baltimore County to serve as an activity center for persons with mental retardation, subject to the requirement that Penn-Mar Organization, Inc. provide at least an equal and matching fund for the same purpose. No part of the applicant's matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. No part of the fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act.

The Executive Director of Penn-Mar Organization, Inc. has certified to the Board of Public Works in a letter dated February 25, 1987 that they have obtained matching funds in the amount of \$100,000.00 as required by this legislation.

In addition to the certification, Penn-Mar Organization, Inc. has also submitted a Board of Public Works Capital Project Grant Application for approval. The projected cash flow is included in the Grant Application.

Approval by the Board of Public Works of each of these documents will allow the authorization of \$100,000.00 to be encumbered.

No State funds will be disbursed until after such time as the loan recipient has presented suitable evidence to the Comptroller that it has expended its portion of the required matching funds for this project. After the loan recipient has met this requirement, all future invoices will be submitted to the Comptroller, who shall disburse the State portion in amounts equal to the invoices submitted.

Bonds to support this project have not been sold.
(copy enclosed)

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

APPENDIX

There were no Appendix items presented on this agenda.

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

Item 1A

PROGRAM OPEN SPACE LOCAL SHARE:

Approval is requested to commit to the Town of Ocean City \$10,000.00 from the Program Open Space Local Share. This amount represents 75% of the eligible project costs for the following project:

POS #2304-23-77
Northside Park Field Complex
Worcester County

This project proposes to develop on Program Open Space assisted lands a concession building, fence and backstop, portable fencing, lighting, sod, temporary and permanent seeding, bleachers, hollywood bases, dug outs, scoreboards, flag pole, sprinkler system, concrete pad, a bridge, tot lot, parking lot lights, sewer, infield soils, public address system, parking lots and pathways, landscaping, and miscellaneous field equipment.

The amount of funds to be reimbursed on this project will be limited to the amount of Program Open Space funds provided by Worcester County in annual allocations made to Ocean City and only until 1990; the sunset on Program Open Space. It is the Town's intention to apply its total apportionment of Program Open Space development funds yearly to this project

Total Estimated Development Costs	\$705,780.00
State Share (75%)	\$529,335.00
This Installment Request	\$ 10,000.00

Fund Source: Program 81.20.04 Item 723 - \$10,000.00

Federal Grant: Not Available

Department of State Planning: Reviewed - March 3, 1987

Control Number: 870217-0106-300102

Location: 125th Street and Bay, Ocean City

Item 1A Continued

Page 2A

POS #2304-23-77

Northside Park Field Complex

Worcester County

Inspected by: David Wineland

On: July 1, 1986

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

March 18, 1987

Secretary's Agenda

Item 2A

PROGRAM OPEN SPACE STATE SHARE:

LAND AND WATER CONSERVATION FUND:

Approval is requested to commit to the City of Baltimore \$250,000.00 from the Program Open Space State Share and the Land and Water Conservation Fund. This amount represents 100% of the eligible project costs for the following project:

POS #2306-26-079

Parks and Playground Rehabilitation FY 87

Baltimore City

This grant would improve six facilities in Baltimore City by upgrading obsolete and unsafe conditions. These sites are as follows: 1. St. Helena Playlot 2. Collington Square 3. Kimberleigh Road Playlot 4. Druid Heights Lot #1 5. Garrison Playlot and C.C. Jackson Recreation Center Playlot 6. Wagner's Point Playlot.

Total Estimated Development Costs \$250,000.00

State Share (100%) Direct Grant - State Side \$250,000.00

Fund Source: Program 81.20.03 Item 043 - \$239,708.14 POSSS
Fund 05-30.01.02.002.011.00.12/06 - \$10,291.86

Federal Grant: Not Available

Department of State Planning: Reviewed - March 3, 1987

Control Number: 870218-0114-300102

Inspected by: Paul D. Hartzell On: January 30, 1987

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BPW - March 18, 1987

DEPARTMENT OF BUDGET AND FISCAL PLANNING
ACTION AGENDA

CONTRACT MODIFICATION (Services)

ITEM 1-S-MOD

DEPARTMENT - Personnel
 Data Management Information Systems Division

ORIGINAL CONTRACT NO. & TITLE - Equipment, Products and Services Agreement
 #136775

ORIGINAL CONTRACT APPROVED - BPW, March 5, 1986, Item 3-S

CONTRACTOR - Honeywell, Inc.
 Baltimore, Maryland

MODIFICATION - Additional computer equipment and systems software.

Term: Outright purchase.

FUND SOURCE - 100% General

26.01.08.04

ORIGINAL CONTRACT AMOUNT - \$105,690

MODIFICATIONS TO DATE (AMOUNTS) - 0

AMOUNT THIS MODIFICATION - \$ 29,953

REVISED TOTAL CONTRACT AMOUNT - \$135,643

PERCENTAGE INCREASE (DECREASE) - 28.3%

REMARKS - The amendment includes three display terminals, two terminal printers, one disk drive, and Cobol compiler along with maintenance for one year. Equipment will be used to keep pace with expanding office automation work loads.

Board of Public Works Action - The above referenced item was:

☒ Approved

☐ Disapproved

☐ Deferred

☐ Withdrawn

☒ With Discussion

☐ Without Discussion

BPW - March 18, 1987

DEPARTMENT OF BUDGET AND FISCAL PLANNING
ACTION AGENDA

CONTRACT MODIFICATION (Services)

ITEM 2-S-MOD

DEPARTMENT - Human Resources
Community Services Administration
Maryland Energy Assistance Program (MEAP)

ORIGINAL CONTRACT NO. & TITLE - CSA/EA-10/88/008 - Garrett County Community Action Committee, Inc.

ORIGINAL CONTRACT APPROVED - BPW, December 17, 1986, Item 13-S

CONTRACTOR - Garrett County Community Action Committee, Inc.
Oakland, Maryland

MODIFICATION - Additional administrative funds to local vendor for the management system established for the entry and processing of MEAP applications and benefits for clients.

Term: December 11, 1986 - September 30, 1988

FUND SOURCE - 100% Federal

33.03.01.12

ORIGINAL CONTRACT AMOUNT - \$148,308

MODIFICATIONS TO DATE (AMOUNTS) - 0

AMOUNT THIS MODIFICATION - \$ 50,011

REVISED TOTAL CONTRACT AMOUNT - \$298,319

PERCENTAGE INCREASE (DECREASE) - 33%

REMARKS -

Board of Public Works Action - The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BPW - March 18, 1987

DEPARTMENT OF BUDGET AND FISCAL PLANNING
ACTION AGENDA

CONTRACT MODIFICATION (Services)

ITEM 3-S-MOD

DEPARTMENT - Board of Trustees of the State Universities and Colleges
 Towson State University

ORIGINAL CONTRACT NO. & TITLE - Table and Chair RentalORIGINAL CONTRACT APPROVED - DBFP, May 19, 1986

CONTRACTOR - ABC Rental
 Timonium, Maryland

MODIFICATION - Increased number of events at the Towson Center resulted in
 increased table and chair rental requirements.

Term: March 18, 1987 - June 30, 1987

FUND SOURCE - 100% Current Unrestricted

35.01.00

ORIGINAL CONTRACT AMOUNT - 660,000.00MODIFICATIONS TO DATE (AMOUNTS) - 0AMOUNT THIS MODIFICATION - \$10,764.50REVISED TOTAL CONTRACT AMOUNT - \$70,674.50PERCENTAGE INCREASE (DECREASE) - 17.8%REMARKS -

 Board of Public Works Action - The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BPW - March 18, 1987

DEPARTMENT OF BUDGET AND FISCAL PLANNING
ACTION AGENDA

SERVICES CONTRACT

ITEM 4-S

DEPARTMENT - Budget and Fiscal Planning
Office of the Secretary

CONTRACT NO. & TITLE - Term Financing Agreement for Equipment Lease/Purchase Transactions

DESCRIPTION - The Department of Budget and Fiscal Planning, acting as the agent for the Board of Public Works, recommends approval to negotiate and enter into a master leasing agreement to finance certain new equipment acquisitions of various agencies consistent with Fiscal Year 1987 appropriations.

Term: Maximum of 60 months from issuance of notice to proceed.

PROCUREMENT METHOD - Competitive Negotiation (Expedited Procurement)

BIDS OR PROPOSALS -

Maximum No. of Months	Fixed Annual Percentage Rate of Interest		
	First Continental Financial Corp.	Maryland National Leasing Corp.	1st Maryland Bank of Md.
6	5.40%	5.72%	7.33%
12	5.40%	5.72%	7.33%
18	5.40%	6.05%	7.33%
24	5.40%	6.05%	7.33%
30	5.40%	6.24%	7.05%
36	5.40%	6.24%	7.05%
42	5.45%	6.38%	7.05%
48	5.47%	6.38%	7.05%
54	5.52%	6.48%	7.05%
60	5.57%	6.48%	7.05%

AWARD - First Continental Financial Corporation
Dallas, Texas

AMOUNT - \$5,000,000 (Not To Exceed)

FUND SOURCE - Various Agencies

REMARKS - (See Attached Addendum Sheet.)

Board of Public Works Action - The above referenced items was;

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BOARD OF PUBLIC WORKS

DBFP
(Procurement Department) ACTION AGENDA FOR 03/18/87 ITEM NO. 4-S
(Date)

ADDENDUM SHEET 2 of 2 SHEETS

REMARKS

This procurement, the second of two items, establishes a single financing entity for any equipment lease/purchases to be made by various State agencies during the balance of Fiscal Year 1987. Best and final offers were requested from financing principals on the first procurement (for existing equipment); two did not respond. Quotes were received on a firm fixed annual percentage rate of interest basis for new equipment financing beginning on March 18, 1987 through June 30, 1987 and running in six month increments up to a maximum of 60 months. As required, specific equipment installment purchases will be brought to the Board of Public Works for prior approval when this master leasing contract is employed.

Consistent with Section 12-101 of the State Finance and Procurement Article and COMAR 21.02.01.02B which authorizes the Board to exercise any procurement authority vesting with State agencies, and Section 10-305 of the State Finance and Procurement Article which governs the Board's authority over the sale and transfer of real or personal property, the Board is requested to authorize the Department of Budget and Fiscal Planning to begin contract negotiations and to draft a master leasing agreement for ratification of the Department of Budget and Fiscal Planning, the contractor and the Office of the Attorney General.

HANDCARRIED

6B

BPW - March 18, 1987

DEPARTMENT OF BUDGET AND FISCAL PLANNING
ACTION AGENDA

SERVICES CONTRACT

ITEM 5-S

DEPARTMENT - Health and Mental Hygiene
General Services Administration
Division of Vital Records

CONTRACT NO. & TITLE - 87-BE-081

DESCRIPTION - Computerized recordkeeping system, including hardware, software, and services, for storage and retrieval of vital records.

Term: March 1, 1987 - September 30, 1993

PROCUREMENT METHOD - Competitive Negotiation

<u>BIDS OR PROPOSALS</u> -	<u>Technical</u> <u>Score</u>	<u>5-Year Cost</u>	<u>Rank</u>
Kodak	426.6	\$2,798,787	1
Systemhouse	350.5	\$2,687,329	2
Filenet	412.5	\$3,590,947	3
SMC	265.7	\$3,088,273	4

AWARD - Eastman Kodak
Rochester, New York

AMOUNT - \$2,798,787 (Not To Exceed)

FUND SOURCE - 100% General 32.03.01.04

REMARKS - System will provide rapid storage and retrieval of Vital Records, reducing response time to the public; two automated microfilm libraries, six workstations, thirteen data display stations; seven microimage terminals, three control processing units, two laser printers, one highspeed impact printer, associated software, maintenance, and labor for conversion.

These costs do not include site preparation and space charges of \$20,647. Equipment (only) will be financed at 5.57 percent via a master financing agreement elsewhere on this Agenda (Item 4-S).

Board of Public Works Action - The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

HANDCARRIED

7B

BPW - March 18, 1987

DEPARTMENT OF BUDGET AND FISCAL PLANNING
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 6-GM

DEPARTMENT - Board of Public Works
Miscellaneous Non-Recurring Payments

NATURE OF REQUEST - Approve award of compensation, pursuant to Article 78A, Section 16A, and make tentative maximum allotment from the 1987 General Emergency Fund.

REASON FOR REQUEST - Mr. Vass was pardoned after serving 10 years in prison as a result of mistaken identification.

AMOUNT OF REQUEST - \$250,000 Total 23.05.01.12
(\$ 22,500 - Not To Exceed 1987 GEF)

DESCRIPTION -

Pay to Leslie A. Vass:	\$15,000	Initially
All but the initial and final	\$30,000	For the year beginning 4/1/87
payments are to be paid out	\$32,000	For the year beginning 4/1/88
in equal monthly installments	\$34,500	For the year beginning 4/1/89
within each year.	\$37,000	For the year beginning 4/1/90
	\$40,000	For the year beginning 4/1/91
	\$43,500	For the year beginning 4/1/92
	\$18,000	Final Payment

REMARKS - The State will also assist Mr. Vass in obtaining career help and educational counselling.

A related award of \$1,000 in interim emergency assistance was approved by the Board on March 11, 1987, Item 10-GM.

Board of Public Works Action - The above referenced item was:

Approved

Disapproved

Deferred *

Withdrawn

With Discussion

Without Discussion

* The Board approved an additional \$1,000.00 advance to be made if needed

SUPPLEMENT C

University of Maryland presented no agenda items for this meeting.

BPW--3/18/87

DEPARTMENT OF TRANSPORTATIONACTION AGENDACONSTRUCTION CONTRACTITEM: 1-CMARYLAND PORT ADMINISTRATION: Dundalk Marine TerminalCONTRACT NO. & TITLE:
287017
Broening Highway Improvements
Dundalk Marine TerminalDESCRIPTION: This contract consists of the construction of certain improvements to Broening Highway including widening, reinforced concrete roadway section, new curbs and gutters and sidewalks, fence installation, storm drainage construction and other associated improvements adjacent to the Dundalk Marine Terminal.PROCUREMENT METHOD: Competitive Sealed Bidding

<u>BIDS:</u>	IA Construction Corp. Baltimore, Maryland	\$2,172,226.00
	Joseph Averza & Sons, Inc. Baltimore, Maryland	\$2,182,070.50
	P. Flanigan & Sons, Inc. Baltimore, Maryland	\$2,336,654.90
	Potts & Callahan, Inc. Baltimore, Maryland	\$2,490,748.00
	The Baltimore Asphalt Paving Co. Baltimore, Maryland	\$2,540,895.85

AWARD: IA Construction Corp.
Baltimore, MarylandAMOUNT: \$2,172,226.00FUND SOURCE: 100% Special Funds Budgeted to MPA

CONTINUED

ITEM 1-C
Continued

2

BPW--3/18/87

REMARKS:

The contract award is an aggregation of lump sum prices for certain items of work and of bid unit prices applied to MPA estimates of quantities for which payment is based upon field measurement of actual quantities at the bid unit prices. The engineer's estimate for this work was \$1,905,940.00. Time of completion is 240 calendar days from notice to proceed.

Board of Public Works Action - The above-referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Received

BFW--3/18/87

DEPARTMENT OF TRANSPORTATIONACTION AGENDACONSTRUCTION CONTRACTITEM: 2-CMARYLAND PORT ADMINISTRATION: South Locust Point Marine TerminalCONTRACT NO. & TITLE: 687208
Paving Repairs
South Locust Point Marine TerminalDESCRIPTION: This contract consists of the complete resurfacing of 3500 square yards of existing pavement and the construction of 1400 square yards of new pavement including demolition and removal work, excavation and grading, all at the South Locust Point Marine Terminal.PROCUREMENT METHOD: Competitive Sealed Bidding

<u>BIDS:</u>	Potts & Callahan, Inc. Baltimore, Maryland	\$138,700.00
	Montgomery Construction Co., Inc. Baltimore, Maryland	\$142,540.00
	The American Asphalt Paving Co., Inc. Baltimore, Maryland	\$144,205.00
	Central Maintenance Corp. Baltimore, Maryland	\$148,585.00
	Ratrie, Robbins & Schweizer, Inc. Baltimore, Maryland	\$148,741.90
	Genstar Stone Products Co. Hunt Valley, Maryland	\$155,640.00
	P. Flanigan & Sons, Inc. Baltimore, Maryland	\$184,549.00
	The Asphalt Service Co., Inc. Baltimore, Maryland	\$184,653.00

CONTINUED

ITEM 2-C
Continued

BFW--3/18/87

Melvin C. Benhoff & Sons, Inc. Baltimore, Maryland	\$205,270.00
Monumental Paving Co., Inc. Baltimore, Maryland	\$234,492.00

AWARD: Potts & Callahan, Inc.
Baltimore, Maryland

AMOUNT: \$138,700.00

FUND SOURCE: 100% Special Funds Budgeted to MPA

REMARKS: The contract award is an aggregation of lump sum prices for certain items of work and of bid unit prices applied to MPA estimates of quantities for which payment is based upon field measurement of actual quantities at the bid unit prices. The engineer's estimate for this work was \$150,975.00. Time of completion is 100 calendar days from Notice to Proceed.

Board of Public Works Action - The above-referenced Item was:

<u>Approved</u>	Disapproved	Deferred	Withdrawn
With Discussion	<u>Without Discussion</u>		Received

BFW--3/18/87

DEPARTMENT OF TRANSPORTATIONACTION AGENDACONSTRUCTION CONTRACTITEM: 3-CMARYLAND PORT ADMINISTRATION: Dundalk Marine TerminalCONTRACT NO. & TITLE: 687007
Paving Repairs
Dundalk Marine TerminalDESCRIPTION: This contract consists of the repaving of 470 square yards and the overlaying of 49,500 square yards of existing bituminous concrete pavement, the regrading of 130 linear feet of railroad track, the reconstruction of reinforced concrete landing strips and the milling of 8400 square yards of heaved pavement at various locations in the Dundalk Marine Terminal.PROCUREMENT METHOD: Competitive Sealed Bidding

<u>BIDS:</u>	Dixie Construction Co. Street, Maryland	\$387,387.00
	P. Flanigan & Sons, Inc. Baltimore, Maryland	\$398,213.75
	Central Maintenance Corp. Baltimore, Maryland	\$447,522.50
	Genstar Stone Products Co. Hunt Valley, Maryland	\$448,377.00
	Ratrie, Robbins & Schweizer, Inc. Baltimore, Maryland	\$465,084.50
	IA Construction Corp. Baltimore, Maryland	\$471,865.25
	The Asphalt Service Co., Inc. Baltimore, Maryland	\$478,933.00
	Potts & Callahan, Inc. Baltimore, Maryland	\$495,805.00
	The American Asphalt Paving Co., Inc. Baltimore, Maryland	\$568,905.00

CONTINUED

ITEM 3-C
Continued

6

BPW--3/18/87

AWARD:

Dixie Construction Co.
Street, Maryland

AMOUNT:

\$387,387.00

FUND SOURCE:

100% Special Funds Budgeted to MPA

REMARKS:

The contract award is an aggregation of lump sum prices for certain items of work and of bid unit prices applied to MPA estimates of quantities for which payment is based upon field measurement of actual quantities at the bid unit prices. The engineer's estimate for this work was \$401,092.50. Time of completion is 120 calendar days from Notice to Proceed.

Board of Public Works Action - The above-referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Received

BPW--3/18/87

DEPARTMENT OF TRANSPORTATIONACTION AGENDACONSTRUCTION CONTRACTITEM: 4 -CMARYLAND PORT ADMINISTRATION: South Locust Point Marine TerminalCONTRACT NO. & TITLE: 287215
Demolition of Cargo Shed No. 9
South Locust Point Marine Terminal

DESCRIPTION: This contract consists of the demolition and removal of approximately 98,000 square feet of an existing two-story building and approximately 33,500 square feet of an existing one-story annex, including placing of fill in existing pits and the performing of all other related work.

PROCUREMENT METHOD: Competitive Sealed Bidding

<u>BIDS:</u>	Berg Contracting, LTD. Baltimore, Maryland	\$238,888.00
	O'Rourke Construction Co. Cincinnati, Ohio	\$267,000.00
	Crouse Construction Co., Inc. Darlington, Maryland	\$288,500.00
	International Crane Co. Baltimore, Maryland	\$398,160.00
	Potts & Callahan, Inc. Baltimore, Maryland	\$449,085.00
	The Baltimore Rigging Co., Inc. Baltimore, Maryland	\$778,298.00

CONTINUED

ITEM 4-C
Continued

BPW--3/18/87

AWARD:

Berg Contracting, LTD
Baltimore, Maryland

AMOUNT:

\$238,888.00

FUND SOURCE:

100% Special Funds Budgeted to MPA

REMARKS:

The contract award is an aggregation of lump sum prices for certain items of work and of bid unit prices applied to MPA estimates of quantities for which payment is based upon field measurement of actual quantities at the bid unit prices. The engineer's estimate for this work was \$686,010.00. Contract duration is 120 calendar days from Notice to Proceed.

Board of Public Works Action - The above-referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Received

BPW--3/18/87

DEPARTMENT OF TRANSPORTATIONACTION AGENDACONSTRUCTION CONTRACTITEM: 5-CSTATE RAILROAD ADMINISTRATION: Seaford-Cambridge Branch LineCONTRACT NO. & TITLE: SRA 168-2326-08 - Rehabilitation of thirteen grade crossings in Caroline and Dorchester Counties, Maryland and in Sussex County, Delaware.DESCRIPTION: This project involves the rehabilitation of thirteen grade crossings on the state-owned Seaford-Cambridge U.S.R.A. Line No. 168 in Caroline and Dorchester Counties, Maryland and in Sussex County, Delaware.PROCUREMENT METHOD: Competitive Sealed Bids

<u>BIDS:</u>	Amtrac Railroad Contractors of Maryland Ellicott City, Maryland	\$700,712.50
	Bullock Construction, Inc. Bowie, Maryland	\$748,450.00
	Track Materials Kutztown, Pennsylvania	\$806,205.77
	Railroad Construction Company of South Jersey Camden, New Jersey	\$952,330.35

AWARD: Amtrac Railroad Contractors of MarylandAMOUNT: \$700,712.50FUND SOURCE: 100% Special Funds Budgeted to SRA

CONTINUED

ITEM 5-C
Continued

BPW--3/18/87

REMARKS:

The engineer's estimate for this Contract was \$784,469.00. It was based upon item prices from previous bids on the project, which were rejected (Fall, 1986). The price differential for 130# bolted and welded rail, switch timbers and the lump sum items for maintenance of traffic and engineer's office account for most of the \$83,756.50 of 11% difference.

The rehabilitation of the crossings with 130# rail and full depth treated timber panels will enhance both service and safety, as well as allow the accommodation of the structural demands imposed by today's highway traffic and heavier rail cars.

Board of Public Works Action - The above-referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Received

DEPARTMENT OF TRANSPORTATION

ACTION AGENDA

CONTRACT MODIFICATION (Construction)

ITEM: 6-C-MOD

MASS TRANSIT ADMINISTRATION: Baltimore Region Rapid Transit System

ORIGINAL CONTRACT NO. & TITLE: MTA-90-15-15
Rogers Avenue Park & Ride

ORIGINAL CONTRACT APPROVED: Item 5-C, DOT Agenda, 9/17/86

CONTRACTOR: Potts & Callahan, Inc.
Baltimore, Maryland

MODIFICATION: Change Order No. 003, in the Lump Sum Amount of \$59,000.00, provides for the construction of a sound barrier wall at the southeast corner of the Rogers Avenue supplemental parking lot.

This newly constructed parking area encroaches on the residential dwellings along Rogers Avenue. As a result of this close proximity, extreme community concern developed over the potential for noise pollution and the need for an acceptable buffer.

In order to alleviate this situation, the Administration proposed the construction of the sound barrier wall in question, subject to the approval of the Board of Public Works.

AMOUNT: \$59,000.00

FUND SOURCE: 80% Federal
20% Special Funds Budgeted to MTA

ORIGINAL CONTRACT AMOUNT: \$1,659,402.50

REVISED CONTRACT AMOUNT: \$1,765,695.09

PERCENTAGE INCREASE: 6.4% Increase C.O. Nos. 002 and 003

Board of Public Works Action - The above-referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Received

DEPARTMENT OF TRANSPORTATIONACTION AGENDACONTRACT MODIFICATION (A/E Service)ITEM: 7-AE-MODSTATE HIGHWAY ADMINISTRATION: Anne Arundel County, MarylandORIGINAL CONTRACT NO. & TITLE: AA 310-251-572
I-97/I-695 Interchange BATCS 'A' West of MD
Route 70 to West of MD Route 2ORIGINAL CONTRACT APPROVED: Item 16-AE, DOT Agenda 5/21/82CONTRACTOR: Greiner Engineering Sciences, Inc.
Timonium, MarylandMODIFICATION: Extra Work Order No. 5 provides additional funds to compensate the
Consultant for the following additional services:Highway

- The design of sewage utilities for Anne Arundel County not included in the original agreement.
- Additions and modifications to the traffic control plans as a result of changes to the project scope after the final review. The project scope was reduced to lower costs.
- Several studies were made to show how the project scope could be reduced to lower costs and at the same time maintain the integrity of the project.
- Revising the plans, specifications, quantities and estimate to reflect the reduced scope and shortened project limits.
- Compensation for 50 additional highway plan sheets not included in the original proposal or the previous extra work orders.

CONTINUED

Structures

- Revisions to the Noise Barrier analysis and attachment to proprietary retaining walls including revisions to the plans and specifications.
- Revisions to the plans, specifications and estimate for the three curved girder bridges. These changes came about after the design was completed as a result of the P.S.&E. review.
- Compensation for 35 additional structure sheets not included in the original proposal or the previously approved extra work orders.
- Additional compensation for computer costs for structural analysis due to the severe skew on the several curved bridges not anticipated in the original agreement.

AMOUNT: \$441,000.00

FUND SOURCE: 90% Federal
10% Special Funds Budgeted to SHA

ORIGINAL CONTRACT AMOUNT: \$880,431.00

REVISED CONTRACT AMOUNT: \$1,920,121.00

PERCENTAGE INCREASE: 118.1% (Including all E.W.O.'s)

REMARKS: Advance Notice to the Board of Public Works that the consultant had been issued a Notice to Proceed and that the subject Change Order would be submitted to the Board was provided by letter of February 3, 1987. The unnegotiated amount for this E.W.O. is \$441,000.00.

Estimated Construction Cost - \$43,300,000.00

Board of Public Works Action - The above-referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Received

BPW--3/18/87

DEPARTMENT OF TRANSPORTATIONACTION AGENDACONTRACT MODIFICATION (A/E Service)ITEM: 8-AE-MODSTATE HIGHWAY ADMINISTRATION: U.S. Route 48
Allegany County, MarylandORIGINAL CONTRACT NO. & TITLE: A-519-202-670
U.S. Route 48
From 0.1 mile east of Hinkle Road to Street RoadORIGINAL CONTRACT APPROVED: Item 9-AE, DOT Agenda 2/27/85CONTRACTOR: Greiner Engineering Sciences, Inc.
Baltimore, MarylandMODIFICATION: Extra Work Order No. 3 provides funding to the consultant for a change in the scope of work on U.S. 48 project.

A change in the Scope of Work. The contract limit for U.S. 48 was extended 4700 feet (.9 miles). The work includes one structure, service roads, right-of-way, hydraulic and hydrologic work.

AMOUNT: \$273,888.00FUND SOURCE: 100% Special Funds Budgeted to SHAORIGINAL CONTRACT AMOUNT: \$1,223,885.00REVISED CONTRACT AMOUNT: \$1,837,113.00PERCENTAGE INCREASE: 50% including all changesREMARKS: Advance notice to the Board of Public Works that the consultant has been issued a notice to proceed and the subject change order would be submitted to the Board was provided by letter dated February 20, 1987 for an amount of \$273,888.00.

Estimated Construction Cost: \$44,550,000.00 (NEAT)

Board of Public Works Action - The above-referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Received

BPW--3/18/87

DEPARTMENT OF TRANSPORTATIONACTION AGENDAEQUIPMENT CONTRACTITEM: 9-EMASS TRANSIT ADMINISTRATIONCONTRACT NO. & TITLE:

MTA-23-91-23

Procurement of One (1) Sixteen Tool
Switch Tamper

DESCRIPTION: Furnish and deliver one (1) sixteen tool switch tamper, spare parts, training and manuals. This machine will be used to maintain the at-grade rail bed of the rapid transit system.

PROCUREMENT METHOD:

Competitive Sealed Bidding

BIDS:

- | | |
|---|--------------|
| 1. Tamper Corporation
West Columbia, SC | \$105,622.00 |
| 2. Plasser American Corporation
Chesapeake, VA | \$106,108.00 |

AWARD:

Tamper Corporation

AMOUNT:

\$105,622.00

FUND SOURCE:85% Federal Funds
15% Special Funds Budgeted to MTA

Board of Public Works Action - The above-referenced Item was:Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Received

BPW--3/18/87

DEPARTMENT OF TRANSPORTATIONACTION AGENDAMISCELLANEOUSITEM: 10-GMSTATE HIGHWAY ADMINISTRATIONCONTRACT NO. & TITLE: MBE-110-1(26) Training Services ProgramNATURE OF REQUEST:

An Agreement to provide for the development and implementation of a Training Services Program to assist those Blacks, Asian-American, American Indians, Hispanics, disadvantaged persons, and women who are currently enrolled, or are potential candidates for enrollment, in on-the-job training programs on highway construction projects. The Consultant is also to provide recruiting, screening, counseling, referral services, and follow-up assistance to persons receiving on-the-job training on highway construction projects. At stated intervals, the Consultant will write reports and maintain them as necessary for evaluation of the project.

CONSULTANT:

The Baltimore Council for Equal Business Opportunity, Inc., Baltimore, Maryland

AMOUNT OF REQUEST:

1. Initial Year:

\$133,400 (Cost Plus)

2. Total with two (2) renewal options:

\$400,200

FUND SOURCE:

100% Federal Funds

DURATION:

The term commences April 1, 1987 or as of the date the Consultant receives a Notice to Proceed from the Highway Administration, and shall terminate March 31, 1988. The Agreement sets forth the Highway Administration's right, at its discretion, to renew the Agreement for a second one (1) year period, which shall not exceed \$133,400 and to renew the agreement for a third one (1) year period which shall not exceed \$133,400.

CONTINUED

Total payment to the Consultant for all services dependent upon the Highway Administration's exercising of both renewal options, shall not exceed \$400,200.

REMARKS:

The Highway Administration has utilized the Consultant Selection procedures developed in accordance with the Code of Maryland Regulations (COMAR) Title 21, Subtitle 05, Chapter 03, Procurement by Competitive Negotiations, even though it was determined that this project constitutes social and educational services, which are exempt from Title 21. Additionally, since the Project provides for training services, definite specifications could not be prepared to solicit proposals on a competitive sealed bid basis. The Highway Administration determined that it would be desirable to solicit both Technical and Price Proposals for the Project. The ability for SHA to review Technical Proposals, and each firm's methodology to accomplish the proposed training was of critical importance. Interested firms were advised that the Technical Proposal would be considered of significantly greater importance than the Price Proposal. The Highway Administration solicited Technical and Price Proposals from five (5) firms, of which three (3) firms responded, from an initial list of five (5) firms expressing interest subsequent to the public advertisement. Following is a chart reflecting the final results.

	<u>Technical Proposal Rating</u>	<u>Price Proposal</u>	<u>Composite Ranking</u>
CEBO	64.0	\$133,400	1
Bogan Assoc.	65.0	\$132,564	2
S.T.A.R.	32.0	\$128,382	3

All Consultants were required to furnish a Price Proposal of approximately \$133,000. To rank the Price Proposals, the Highway Administration divided the total cost proposed by the total number of man hours proposed and then ranked the resulting costs in ascending amounts. Same is detailed in the following chart.

CONTINUED

ITEM: 10-GM
CONTINUED

18
BPW--3/18/87

<u>Consultant</u>	<u>Total Cost</u> <u>Total Man Hours</u>	<u>Hourly</u> <u>Rate</u>	<u>Rank</u>
The Baltimore Council for Equal Business Opportunity	<u>133400</u> 6252	\$21.34	1
Bogan Associates	<u>132564</u> 4190	\$31.63	2
Strategies, Tactics	<u>1283382</u> 1625	\$79.00	3

The Agreement sets forth payment to the Consultant on a cost plus basis; that is, reimbursement for salaries incurred, plus payroll burdens, plus direct expenses. Since CEBO is a non-profit organization, there is no profit or fixed fee applicable. The Agreement basis of payment is in accordance with the pre-contract audit recommendations.

Board of Public Works Action - The above-referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Received

DEPARTMENT OF TRANSPORTATIONACTION AGENDA APPENDIXEXPEDITED PROCUREMENT REPORTITEM: A-11*PROCUREMENT AGENCY: State Highway AdministrationCONTRACT NUMBER & TITLE: T-333-501-229, New State Highway Regional Laboratory at EastonEXPEDITED PROCUREMENT APPROVAL: Item A-19 June 4, 1986CONTRACT TYPE: ConstructionAWARD: M. Nelson Barnes & Sons, Inc.
Cambridge, MarylandDATE OF AWARD: September 26, 1986AMOUNT: \$1,509,289.04NUMBER OF FIRMS SOLICITED: Four solicited, 2nd to 5th biddersBIDS: M. Nelson Barnes & Sons, Inc.
Cambridge, Maryland \$1,509,289.04Willow Construction, Inc.
Easton, Maryland \$1,600,765.47

Two out of four submitted rebid

FUND SOURCE: 100% Special Funds Budgeted to SHAMARYLAND REGISTER NOTICE: November 14, 1986REMARKS: Plans and Invitation for Bids were picked up by the 2nd, 3rd, 4th and 5th bidders: Willow Construction, Inc.; Charles E. Brohawn & Brothers, Inc.; M. Nelson Barnes & Sons; and Warwick Corporation. Two bidders responded with prices.

*Revised

Board of Public Works Action - The above-referenced Item is:

Accepted

With Discussion

Without Discussion

BPW--3/18/87
Supplemental Item

DEPARTMENT OF TRANSPORTATION

ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM: 12-RP

STATE HIGHWAY ADMINISTRATION:

Permission is requested by the State Highway Administration to dispose of properties on four (4) lists (attached), which are excess to the needs of the Administration and available for disposal. It is recommended that: the six properties on List 1 be disposed of at public auction and the ten properties on List 2 be disposed of to the adjoining owners and the five properties on List 3 to a political subdivision and the one property on List 4 be disposed of to the adjoining owner.

The submission is made in accordance with property disposal rules adopted 2/27/84 by the Board of Public Works.

Board of Public Works Action - The above-referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Received

PUBLIC AUCTION
List (1)

Project Name	Area	*Estimated Today Value **SHA Cost (Year)	Zoning	Access	Plat	Location and Remarks
A 528-010-671 Dogwood Flats Hunting and Fishing Club 64780	1.1 ac.	*\$1,100.00 **\$ 710.00 (1973)	Agricultural	Yes	49864 (1)	On the East side of MD Rte. 36, North of Potomac Hollow Road, East of Barton, Allegany Co., MD. The subject has legal access, but physical access is difficult, because of the steep grade.
AA 572-005-571 Linda Bieleas 66885	1.46 acres	*\$22,575.00 **\$27,000.00 (1973)	R-5 Residential 5 dwelling units per acre	Yes	Tax Map (2)	The subject property is located on Dividing Creek Rd. just north of Jones Station Rd. Arnold, Anne Arundel County.
F 565-008-715 Mehrie Staley 45822	119 acres	*\$79,000.00 **\$52,425.00 (1960)	Agricultural Zoning permits one building lot per 25 acres for this parcel	No	37361. (3)	Southside of U.S. 340 on the east and west sides of Cacotin Creek. Parcel is midway between Jefferson and Brunswick. The Clearinghouse conducted an intergovernmental review of the subject under COMAR 16.02.02 and has recommends that the property be declared surplus to the State's need since no State agency or local government expressed an interest in the subject. It is recommended the subject be disposed of at a public sale or by negotiated sale with adjoining property owners. It is further recommended that sale be conditioned on the subsequent owner entering into agreements regarding: 1) Application to the Agricultural Land Preservation Program, 2) Submission of a best practices plan to the Soil Conservation District, and 3) Protection of any significant archeo- logical resources.

PUBLIC AUCTION
LIST (1)

52

Project Name	Area	*Estimated Today Value **SHA Cost (Year)	Zoning	Access	Plat	Location and Remarks
G 494-301-676 Alma Camp 73886	1.25 acres	\$ 2,000.00 **\$60,000.00 1984	None	Yes	Tax Map (4)	North side of US Rte. 40 (National Pike) at its intersection with US Rte. 219. The SHA acquired this lot and dwelling because salt contaminated the ground water.
W 446-053-671 Robert L. Phillips 65556	0.177 acres	\$ 4,625.00 **\$ 5,365.00 (1980)	R-1 Residential 7,500 square feet per lot	Yes	49363 (5)	Located in the City of Hagerstown on the west side of relocated West Wilson Blvd., North of Summit Avenue, Washington County.
SM 414-13-571 Arthur Mirfield 66234	0.144 acres	\$ 4,500.00 **\$ 5,000.00 (1979)	Residential Prop. borders a commercial building, could be rezoned	Yes	49863 (22)	Southside of MD Rte. 235 (Three Notch Rd.) just west of the intersection with MD Rte. 4 (St. Andrews Church Road) in California, St. Mary's County

INFORMAL BID
LIST (2)

53

Project Name	Area	*Estimated Today Value **SHA Cost (Year)	Zoning	Access	Plat	Location and Remarks
A 452-011-620 Abraham Feldstein 45468 MD Homes Co. 45613 Emmett Dougherty 45614	0.15 acres	**\$ 500.00 **\$ 650.00 (1959)	Industrial General 12,000 sq.ft. minimum size	Yes	44970 (6)	On east side of Winow St. just east of Industrial Blvd. in Cumberland, MD. The parcel is triangular, with the railroad and Industrial Blvd. adjoining two sides. The parcel has 34 feet of legal access and is approximately 6 feet below grade.
A 519-007-619 Charles F. Eckhart 60502	0.243 acres	**\$ 500.00 **\$ 413.00 (1973)	C-Conservation District, 1/2 ac. per lot min.	Yes	49854 (7)	The land is located 1/4 mile east of Vale Summit Rd. between U.S. Rte. 40 and the National Freeway (U.S. Rte. 48) in Eckhart Allegany Co., MD. This property is encumbered by steep slopes.
A 528-011-671 Elizabeth S. Wilt 46713	3,535 sq.ft.	*\$ 265.00 **\$ 315.00 (1973)	Residential	Yes	44794 (8)	West side of MD Rte 36 (Georges Creek Rd.) South side of Waverly Ave. in Westernport Allegany Co., MD. Approximately one half of the property is encumbered by a pipe easement.
AA 169-301-570 William Harris Charles R Jordan 524 & 529	0.045 acres	*\$ 500.00 **\$ unknown (1932)	MB-1 Marina	Yes	48235 (9)	West side of MD Rte 2 (Solomons Island Rd.) approx. 530 ft. north of the South river Bridge in Anne Arundel Co., MD.

INFORMAL BID
LIST (2)

Project Name	Area	*Estimated Today Value	Zoning	Access	Plat	Location and Remarks
Item		**SHA Cost (Year)				
B 938-001-426 Charles Betz 58794	0.57 acres	**\$4,788.00 **\$2,109.00 (1969)	M/H Heavy Manufacturing	No	44351 (10)	East side of the intersection of the Balto. Beltway (I-695) and the B&O Railroad, Golden Ring, Baltimore County.
H 268-001-441 Sinclair Refining Co. 53429	0.21 acres	**\$7,000.00 **\$4,500.00 (1966)	B-3 General Business	No	49649 (11)	The west side of the intersection of Rte. 40 (Pulaski Hwy.) and Rte. 22 (Churchville Rd.) in the town of Aberdeen, Harford Co., MD.
Q 237-001-215 Old Roadbed MD Rte. 290	0.481 acres	**\$1,500.00 **\$ none (old roadway)	A-2 Agricultural 2 acres per lot	Yes	49151 (12)	Located east of the MD Rte. 290 bridge over the Chester River in Crumpton, Queen Anne's Co., MD.
Q 408-001-220 Raphael Kirsch 50478	0.21	**\$ 300.00 **\$ unknown (old roadbed)	Residential	No	34880 (13)	West side of U.S. Rte. 213 south of inter- section of John Brown Rd. in Queen Anne's Co., MD.
W 446-053-671 Chas. J. Startzman 65535 Parc. 1&2	0.033 acres	**\$ 250.00 **\$1,272.00 (1981)	Residential	Yes	50028 (14)	South side of U.S. Rte. 11 (Virginia Ave.) and between West Wilson Blvd. and relocated West Wilson Blvd. in the city of Hagerstown Washington Co., MD.
W 446-053-671 Richard Hamburg 65557	0.025 acres	**\$ 500.00 **\$ 900.00 (1979)	R-1 Residential 1 acre lots	Yes	49363 (15)	This parcel is located in the city of Hagerstown on the west side of Summit Ave. at the intersection with relocated West Wilson Blvd., Washington Co., MD.

BPW--3/18/87

POLITICAL SUB-DIVISION
LIST (3)

55

Project Name	Area	*Estimated Today Value
Item F 522-66-770	45.940 acres	**\$35,975.00
Staub's Thurmout Acres		**\$119,444.00 (1981)
64413		

Zoning	Access	Plat
R-1 Residential One dwelling per acre	Land-locked	49214 (16)

Location and Remarks
West side of U.S. Rte. 15 (Catoctin Mountain Hwy.) and the South side of Franklinsville Rd. The Clearinghouse conducted an intergovernmental review of the subject under #MD860220-0115 and has determined that the subject be declared surplus to the needs of the State. It is recommended that the property be offered to Frederick Co. for appraised value. To assist the County in this period of fiscal constraints, the Co. and the State Hwy. Administration propose a method of payment to occur over a five year period in equal installments at no interest. The County requires the land to complete work on the flood control project for Owens Creek which is presently a health and safety hazard to the area.

Attachment to Supplemental Item 12-RP

Item	Area	*Estimated Today Value	Zoning	Access	Plat
F 605-132-772	22.8 acres	*\$548,000.00	M-1	Yes	48256
Norman W. Todd		**\$226,405.00	Light Industrial		(17)
69436-B					

Only 22.8 Ac., plus or minus of the 30.877 Ac. shown on Plat 48256 have been valued in the approved appraisal. This portion is to be conveyed to the City of Frederick. The Clearinghouse conducted an intergovernmental review of the subject under MD#861205-0796 and has recommended that the land be declared excess and offered for sale to the City of Frederick for public use including the municipal airport expansion and a planned public works department facility. It is further recommended that any usage must comply with the City's Zoning and site planned requirements of M-1 Light Industrial and future land use activities should be compatible with the County's Master Plan.

BPW--3/18/87

POLITICAL SUB-DIVISION
LIST (3)

Project

Attachment to Supplemental Item 12-RP

Name	Area	*Estimated Today Value	Zoning	Access	Plat	Location and Remarks
Item		**SMA Cost (Year)				
H 335-03-420	18.495 acres	\$ 65,725.00	B-3	Land-locked	48546	To the west of the intersection of U.S. Rte. 1 (Belair Rd.) and MD Rte. 147
Million Daneker		**\$ 47,598.56	Commercial		49359	(Harford Rd.), South of Belair, Harford Co.
49047			2.085 acres;		49360	The Clearinghouse conducted an intergovernmental review of the subject under
Margaret Colvin			A-G		(18)	#MD861016-0720 and has recommended the
50417			Agricultural			18.495 acres located at the intersection of
Thomas Hawkins			16.41 acres;			the Belair Bypass and MD Rte. 147, be
50419			AG. permits			declared surplus and disposed of to Harford
Anna Hays			2 lots on this			Co. who has expressed an interest in this
50420			parcel			parcel. If Harford Co. declines further
Carroll Morgan						interest, it is recommended that the parcel
50931						be disposed of by public sale.
Albert R. Denbo						
50932						
Francis Smith						
50934						
SHA	0.59 acres	**\$ 3,400.00	No Zoning	Yes	Accident	Former State Highway Admin. Garage & Maint.
Garage Site in		**\$ 4,600.00	Exists		tax map	site at Biltenger Rd. and Flat St. in
Accident, Garrett					no. 4	Accident, Garrett Co., Maryland.
County, Maryland					(19)	
F 522-50-771	0.918 acres	**\$216,000	B-2	Yes	48283	Within the town limits of Thurmont,
Robert Craft		**\$ 40,000.00	Town Business		(20)	Frederick County, east side of MD Rte. 806
68385						(Frederick Rd.) and the MD Rte. 806 connector
						with U.S. 15, Catoctin Mountain Highway
						Approximately 40% of this parcel is to be
						sold to the Town of Thurmont at the
						appraised value. The remainder is to be
						sold at public auction.

Attachment to Supplemental Item 12-RP

SPECIAL CONVEYANCE
LIST (4)

Project Name	Area	*Estimated Today Value **SHA Cost (Year)	Zoning	Access	Plat	Location and Remarks
B 635-009-420	0.493 acres	*\$5,000.00	DR-16	Yes	50158	North side of Lillian Holt Drive, East of
Frank J. Plecka		**\$ Not Available (1960)	16 dwelling units per acre		(21)	I-695 (Baltimore Beltway) in Baltimore Co. An adjacent owner claims to have a right of access accross this property. Our records can not prove or disprove this statement.
36284-A						

BPW-- 3/18/87
Supplemental Item

DEPARTMENT OF TRANSPORTATION

ACTION AGENDA

APPENDIX

EXPEDITED PROCUREMENT REQUEST

ITEM: A - 13

MARYLAND DEPARTMENT OF TRANSPORTATION - Maryland Port Administration

DESCRIPTION OF PROPOSED PROCUREMENT:

To provide for the procurement of one 40 long ton container crane at Dundalk Marine Terminal.

REASON FOR REQUEST:

To replace the container crane that was overturned and destroyed on February 23, 1987 after being struck by the vessel EVER LIVING during berthing.

PROCUREMENT METHOD: Expedited (Competitive Negotiation)

ESTIMATED AMOUNT: \$4,200,000

FUND SOURCE: \$3,887,000 - Insurance Recovery
\$ 313,000 - 100% Special Funds Budgeted to MPA

REMARKS:

The loss of the container crane requires an immediate start of the procurement process to replace the crane in order that the full complement of cranes are available at Dundalk Marine Terminal as quickly as possible.

Several world wide crane manufacturers and suppliers were contacted for their ability to furnish either a used crane or a new crane in a satisfactory time span. A used crane satisfactory to meet operational needs is not available. Four experienced crane manufacturers offered to furnish a new crane within about 12 months. The four manufacturers will be requested to submit proposals for the new crane under the expedited procurement process. A contract will be negotiated with the highest rated firm considering both price and time of delivery.

Board of Public Works Action - The above-referenced Item was:

Approved	Disapproved	Deferred	Withdrawn
With Discussion	Without Discussion	Received	

BPW 3/18/87

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 1-RP

DEPARTMENT OF NATURAL RESOURCES

Eastside of Race Road
Howard County - File #2654

REFERENCE Board of Public Works approval is requested for a deed of flood plain easement between the Department of Natural Resources and the State Highway Administration. The easement provides for an increased floodplain, in the event of a 100 year frequency storm, along the Patapsco River, due to the proposed State Highway construction of I-195 which includes channelization of the Patapsco River.

SPECIAL CONDITIONS

None

GRANTOR

State of Maryland, Department of Natural Resources

GRANTEE

State of Maryland, State Highway Administration

APPRAISED VALUE

\$500.00 - Stanley Grossblatt - January 28, 1985

CONSIDERATION

\$500.00

REMARKS

The Department of Natural Resources recommends approval of this item.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

87/9

LRP14.MT

BPW - 3-18-87

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LEASE

ITEM 2-L

OFFICE OF THE PUBLIC DEFENDER

Ellicott City
Howard County

LESSOR/OWNER Satar Azim

c/o Ms. Joan Murr, Agent
Long and Foster Realtors
Baltimore, Maryland 21207

PROPERTY LOCATION 3637 Park Avenue

Ellicott City Maryland

SPACE TYPE Office

LEASE TYPE Option
Renewal

SQUARE FEET 739

DURATION One (1) Year

EFFECTIVE March 20, 1987

ANNUAL RENT \$7,020.50

SQUARE FOOT RATE \$9.50

PREVIOUS SQ. FT. RATE \$9.25

PREVIOUS ANNUAL RENT \$6,835.80

UTILITIES RESPONSIBILITY Lessor

CUSTODIAL RESPONSIBILITY Lessor

FUND SOURCE General

SPECIAL CONDITIONS Lessee has three (3) one (1) year renewal options remaining.

REMARKS

1. Lease executed by the Public Defender.
2. Lease to be certified as approved by the Board of Public Works by Director, Office of Real Estate, Department of General Services.
3. This acquisition to be used for the purpose of offices.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

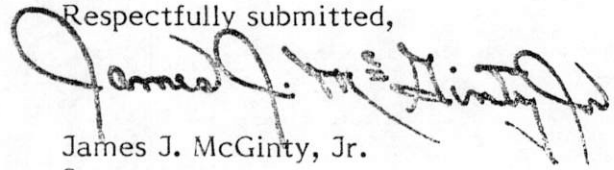
Withdrawn

With Discussion

Without Discussion

There being no further business, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "James J. McGinty, Jr.", written in a cursive style.

James J. McGinty, Jr.
Secretary

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STATE OF MARYLAND
BOARD OF PUBLIC WORKS
GOVERNOR'S CONFERENCE ROOM
STATE HOUSE
ANNAPOLIS, MARYLAND

March 18, 1987
10:00 o'clock, a.m.

Reported by:

HUNT REPORTING COMPANY
99 McKinsey Road
P.O. Box 1407
Severna Park, Maryland 21146
(301) 647-8300

P R E S E N T

GOVERNOR WILLIAM DONALD SCHAEFER, Presiding;

HONORABLE LOUIS L. GOLDSTEIN, Comptroller;

HONORABLE LUCILLE MAURER, Treasurer;

JAMES J. MCGINTY, Acting Secretary, Board of
Public Works;

LOUIS H. STETTLER, III, Secretary,
Department of Budget & Fiscal Planning;

CONSTANCE LIEDER, Secretary, Department
of State Planning;

MICHAEL NELSON, Acting Assistant Secretary,
Department of Natural Resources;

MARION J. BOSCHERT, Administrative Assistant,
Board of Public Works; and,

K. P. HEINEMEYER, Director of Real Estate.

- - -

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- - -

P R O C E E D I N G S

GOVERNOR SCHAEFER: Are you ready to go?

MR. MCGINTY: Department of Transportation
first.

GOVERNOR SCHAEFER: Department of
Transportation. What's your name?

MR. BRISTOW: Good morning. Chuck Bristow
from the Maryland Department of Transportation.

GOVERNOR SCHAEFER: Do you know what, you've
got a nice smile.

MR. BRISTOW: Thank you.

GOVERNOR SCHAEFER: When you come next week
I hope you'll walk up and smile first, then give
your name.

MR. BRISTOW: Yes, sir. Today we have eleven
items that were originally submitted on our agenda. At
this time I'd like to withdraw Item 4-C. 4-C will be
resubmitted for the Board's approval on a later Board
meeting.

Item A-11 --

MR. GOLDSTEIN: Wait a minute, Item 4-C, let

me ask you a question. You're asking \$687,010.00 and the low bid is \$238,000.00. That's a big difference. Maybe when you bring it back you can tell us why.

MR. BRISTOW: Yes, sir, we'll be prepared to address that. The reason why it's being withdrawn is there's a potential bid protest.

MR. GOLDSTEIN: Okay.

MR. BRISTOW: When the item is resubmitted for the Board's approval we'll be prepared to address that item.

Item A-11 has been revised, and there are two supplemental items; 12-RP and A-13. Copies of items 11, 12 and 13 are being distributed. I have extra copies if anyone needs them. We're prepared at this time to answer any questions you may have.

MR. GOLDSTEIN: I think my Item 1-C page 1 the estimate on the job is 1,905,000.00 and the low bid is 2,172,000.00.

MR. GREEN: Good morning. I'm Bob Green, Deputy Port Administrator. Item 1-C asks for the Board's approval of some renovation work at the Broening

Highway and leading into the entrance into the Dundalk Marine Terminal, into the truck entrance way. We had five bids, really bunched in about three different categories. The engineers estimate was 1,900,000 which is about 13 percent under the low bid, and whenever we get something that exceeds the engineer's estimates we do some special investigation to see whether or not we can readily ascertain the difference between what the engineer made their preliminary work-up and what the market value on that particular day was. In this case we're convinced the original estimates were reasonable. It was simply market forces at work on the particular time that opening took place. We've got several other contracts on the agenda today and they're a reflection of competition on those particular days.

We do recommend the award of this contract to the IA Construction Company for their low bid.

MR. GOLDSTEIN: Okay, that answers my question.

7-A, page 12.

MR. AGRO: Good morning. I'm John Agro, the

Deputy Highway Administrator. Item 7-AE is a design contract modification leading to the reconstruction or upgrading of Maryland Route 3 to new I-97. This contract covers work extensively involving the Baltimore Beltway from Camp Meade Road to Maryland Route 2 and south on Maryland Route 3 to Furnace Branch Road.

MR. GOLDSTEIN: It's a right big change when they started off with \$880,000.00 and now it's up to \$1,920,000.00. That's going to change that \$441,000.00.

MR. AGRO: That's correct. It was primarily as a result of a change in the scope of the project. We had originally planned to construct this project all the way to west of the Baltimore-Washington Parkway. The revised estimate to do that would have been somewhere around \$53,000,000.00. So in order to reduce the cost of the project we reduced the termini of the project to west of Camp Meade Road and we'll include that additional work in a subsequent contract to follow when the Baltimore Beltway contracts are advertised in later years.

MR. GOLDSTEIN: Now will that cut down on the capacity of the road?

MR. AGRO: No, it will not.

MR. GOLDSTEIN: The present estimate is \$43,300,000.00.

MR. AGRO: That's correct.

MR. GOLDSTEIN: They had to pay this extra money to cut the contract back?

MR. AGRO: We had an original estimate of \$53,000,000.00 with the additional work included, so we've reduced the cost of the project by \$10,000,000.00 down to the estimate of \$43,300,000.00.

And again the reason that we felt it was imperative to cut back the scope of the project at this time is that this project is funded with interstate funds, and the federal government has instituted certain obligational ceilings which does not allow us to recover all of the federal monies that we may put under contract in any one year. It would be necessary for the administration, the department to front end this contract with State dollars and we felt that the

increased cost was too much of a burden on the trust fund at this time. So we reduced the overall cost of the project by the \$10,000,000.00.

MR. GOLDSTEIN: How would it be affected by the road bill that's now in Congress?

MR. AGRO: Pardon?

MR. GOLDSTEIN: How would it be affected by the new road bill that's pending in Congress? This is a 90/10 --

MR. AGRO: That's correct. Well, the federal interstate program is funded through the 1990 period, so those funds are not really being held up by Congress at the present time. It's all the non interstate categories that are being impacted.

MR. GOLDSTEIN: Thank you.

MR. AGRO: Your welcome.

MR. GOLDSTEIN: How about number 8-AE.

MR. AGRO: Item 8 is again a contract modification for a design contract providing for the upgrading of Route 40 to U.S. 48, the National Freeway. This is one contract that's part of the 19 mile missing

gap in the National Freeway. And what this modification allows us to do is to extend the one design contract from Street Road to Dolly Road in the area of Flintstone. It was an area that was not covered by the original design because we weren't sure what the alignment would be in the area of Flintstone. Given that the alignment is now set, we've extended this design contract to cover through Dolly Road, which will give us a better segment for construction. I might also point out that as a result of the request of Governor Schaefer we have gone back -- Secretary Hellmann and Hal Kassoff has gone back and taken another look at the contracts on the National Freeway and as a result of that review and meeting with the consultants we have been able to accelerate the advertisement of many of those contracts so that we can complete approximately nine months ahead of schedule.

MR. GOLDSTEIN: I'm happy you said that. That's one of the reasons I was asking the question as to how you were going to accelerate it to cover the project the Governor had in mind --

MR. AGRO: That's correct.

MR. GOLDSTEIN: -- to get this job done.

MR. AGRO: We're on a very tight schedule for all those contracts.

MR. GOLDSTEIN: Good. Congratulations. All right, thank you.

MR. AGRO: You're welcome.

MR. GOLDSTEIN: Governor, maybe it wouldn't hurt to have a little explanation of Item number 12 --

MS. MAURER: Could I raise a question about Item number 10, please?

I thought it would be useful to have some understanding of the numbers of people and the kinds of jobs they would be trained for, is one set of questions. And the second, how you work with the Department of Employment and Training and the Governor's Employment and Training Counsel in other training programs that are already available in the State.

MR. AGRO: Well, we have a little bit of explanation background on the item. The administration in conjunction with the Federal Highway Administration

has a requirement that all federally funded contracts have under their employ a number of trainees -- minority trainees. So in order to accomplish this, contractors will very often draw from the private work force themselves. We've brought a consultant on board to assist the administration to identify additional minority trainees that can be placed with construction contractors and would be trained on the job by the construction contractor. The second role of the consultant would be to monitor the activity of not only those people who have been placed on construction contracts, but additionally any that the construction firms themselves may have located from the private sector and put onto the projects.

MS. MAURER: What sort of jobs are you training, when you say job training?

MR. AGRO: We are not training -- bringing people in to be laborers, the unskilled class. We're bringing people in to be trained in the skilled classes, possibly the carpentry area, the cement finishing area, the heavy equipment operators, where there can be an

actual skill that can be developed by the trainee.

MS. MAURER: What sort of pay scales would they be eligible for after they are trained?

MR. AGRO: Well they are paid at current wage rates, whatever is dictated in the contract. One incentive that's offered to the contractor is that the federal government will reimburse the contractor 80 cents on every dollar for every person that's brought in as a trainee. So there is a definite incentive to the contractor. The consultant will monitor the activities of the trainee and the contractor to ensure that that person is receiving the proper training. And that's done in conjunction with State Highway Administration staff. Statewide we have approximately 140 to 160 trainees on various construction projects. The consultant will be responsible for identifying at least 40 additional trainees over the next year that could be available to construction contractors as part of the training program.

MS. MAURER: How long is the training program?

MR. AGRO: I'd like to ask Angela Hawkins, who

is the chief of the Administration's Equal Opportunity office to join me, if she would, and maybe she could answer that question.

MS. HAWKINS: Good morning. Generally the training programs are a thousand hours in length. There are times when a contractor may get a reduced training program of 650 hours. That runs for the life of the contract. Often the trainees may be transferred from one project with that contractor to another project so that the training hours can be completed.

MS. MAURER: Are these trainees high school dropouts, do you have any -- just give us some idea of the kinds of people who have indeed finished the program and what they're -- are they then employed by other contractors. What is your placement?

MS. HAWKINS: Generally the people are unemployed or underemployed individuals. They may or may not be high school dropouts. The emphasis, once the trainee completes the program of course, is placement with that contractor. The consultant would act to assist the placement if not with that contractor, with

other contractors who are working on Maryland highway contracts.

GOVERNOR SCHAEFER: How many Hispanics?

MS. HAWKINS: We don't get a tremendous amount of Hispanics as trainees. In the last year we have had about five Hispanics. We have had perhaps about 25 females and generally the balance of the trainees are minority. The trainees may also be disadvantaged, economically disadvantaged, and we find that often in western Maryland area where industry has changed somewhat. But generally I've seen only about five Hispanic trainees since I've been there.

GOVERNOR SCHAEFER: Do you know how many Hispanics are out of work?

MS. HAWKINS: I don't have any statistics at this time to say how many. The Hispanic --

GOVERNOR SCHAEFER: The reason I asked that, in Baltimore they were just ignored. Nobody went out to look for a person, Hispanic or women, they just never went looking for them. And as a result of that they never thought that they were a minority within the

definition, so nobody paid any attention to them. And so I like to have some tables of these things. And I think Mrs. Maurer is absolutely right when she asks who are these people. I'd like to know short histories on some of them. The history I would like is have they moved from one training program to another, are they continual trainees, and then after this job is over they're back on another training program and are we able to follow some of the people that we're putting the money on. A lot of the training programs in the past, what we were doing was moving from training program to training program and they never really got a job, and they just were left hanging in mid air. So it isn't just a simple definition of how many, what are we doing to go after women, what are we doing to go after Hispanics, what are we doing -- I guess you don't have any estimates on the others. But there should be a concentrated effort to have all minorities. So how about giving me a breakdown. I'd like a little case history on some of the people that we have, where they come from.

MR. GOLDSTEIN: May I ask you a question?

Suppose I had four or five young people down in Calvert County that wanted to work. How would they go about getting on the list and getting the training?

MS. HAWKINS: The consultant would be responsible for tapping those resources in the area --

MR. GOLDSTEIN: The consultant?

MS. HAWKINS: Yes.

MR. GOLDSTEIN: Where is this consultant from? Baltimore?

MS. HAWKINS: The consultant's office is in Baltimore.

MR. GOLDSTEIN: Called the Baltimore Council for Equal Business Opportunity?

MS. HAWKINS: Yes, sir.

MR. GOLDSTEIN: Have you ever been out in the Counties? You ever go over to the Eastern shore in Somerset County or Calvert County?

MS. HAWKINS: We have not had this consultant, we have not had this contract previously.

MR. GOLDSTEIN: How about the other consultant

you had?

MS. HAWKINS: The other consultant did not complete the full term of the contract.

MR. GOLDSTEIN: Can you find out -- in other words there's 23 counties and Baltimore City, 24 subdivisions.

MS. HAWKINS: Yes.

MR. GOLDSTEIN: Could you give us by next meeting a list of how many people that are training and where they are from?

MS. HAWKINS: Yes.

MR. GOLDSTEIN: Because I've always questioned and made several requests and never got a satisfactory answer.

MR. AGRO: Given that the requirements that they be placed on federally funded contracts, which are of a statewide nature, the placement would have to occur on a statewide basis in a given geographic area.

MR. GOLDSTEIN: I understand that. Right now you're building bridges and roads all over the State. Half the bridges been falling down for years, we know

that, particularly with a hundred thousand pound weight. Supposed to be eighty thousand load been carrying a hundred thousand load. So anyplace I go to build bridges, there must be some federal money in most of them.

MR. AGRO: That's correct. We'd be happy to provide that.

MR. GOLDSTEIN: Thank you.

MS. MAURER: My other question was the relationship of the Department of Transportation to the training programs through the Department of Employment and Training and what if any information you funnel through the Governor's Employment and Training Council, which is supposed to be under the jobs and training partnership. At least a focal point to gather all the information that's available to the State if you work with the EET DER.

MS. HAWKINS: Yes. The consultant listed many of the sources that you just mentioned, along with other sources which will be providing the names of people. The consultant will then be working directly with those

people.

MS. MAURER: Did they help you in drawing up the request for proposal based upon the expertise and experience they have had dealing with the private industry councils in each of the areas of the State under the job training?

MS. HAWKINS: Yes. In their proposal they did outline those items.

MS. MAURER: But I meant did you draw upon --

MR. AGRO: No we did not.

MS. MAURER: I think it might be a good idea in the future to build upon the kind of expertise in bids and in proposals and in services from the people who spend all their time in that field. Obviously you have a well thought out program, but it might be of assistance and I think it would be particularly important to keep working through such focal points as the Governor's Employment and Training Council.

MR. AGRO: That's an excellent point, we'll do that.

GOVERNOR SCHAEFER: CEBO has been in

Baltimore. It's concentrated in Baltimore, at the same time it's just Baltimore. It really raises a very interesting point. Whether CEBO will lift its sights to include Cambridge, his area of Somerset County, areas where there is high unemployment among minorities. I think that CEBO has been Baltimore based, strictly Baltimore and their orientation would be there unless they do what the Comptroller suggests, particularly in the areas on the Eastern shore. Some of those areas off the main road down there could certainly use some assistance. Good point.

MR. GOLDSTEIN: Thank you.

MR. AGRO: You're welcome.

MR. GOLDSTEIN: Number 12. This is the first time we've had this one on the agenda. Excess property offered for public sale or other use.

MR. AGRO: We have 22 parcels of excess land, in excess to the needs of the State Highway Administration which we would propose to dispose of. We dispose of property generally in one of two ways. Either at public auction where the land or the parcel is

not landlocked and capable of independent use, or by informal bid where we will in effect negotiate with an adjoining owner or owners. The land again is generally landlocked in a situation like that and not capable of independent use. Today, of the 22 items which we are requesting your approval to proceed with either the auction or the negotiation -- this is not final approval today. We would be back to the Board with the final recommendation of the price to be accepted for the parcel. We have six of them proposed to offer at public auction, ten for informal bid, five to be conveyed to political subdivisions which there is a requirement that it be used for public use. If it's failed to be used for public use at any time it reverts back to the State Highway Administration. And one that we have which is a special case, which is really not landlocked but that it is marginal in terms of its availability or use for independent use. We would propose that we offer it to an adjoining property owner, which would allow him to gain legal access to his property for business purposes.

MR. GOLDSTEIN: This revised item isn't much

different from the original.

MR. AGRO: I don't believe this was a revised item. This was --

MR. GOLDSTEIN: Item number 12. What was in the book been changed any?

MR. BRISTOW: Item number 12 is a supplemental item. It was not submitted originally with the agenda.

MR. GOLDSTEIN: I had the copy over here. I just wanted to be sure. Thank you. Number 13?

MR. GREEN: Good morning. I'm Bob Green again. I had previously reported to the Board that on February 23, 1987 Evergreen Container vessel docking during a snow storm had struck and knocked down a container crane at berth number 10, Dundalk Marine Terminal and we had stated that we were taking emergency action to remove the crane wreckage so that the berth could be put back into operation as quickly as possible. That demolition and removal work is underway. It will probably be completed within the next two weeks. When that is completed we will report back to the Board with the final cost summary. At the time I mentioned about

the emergency action I also said there was several ways we could go to replace this crane because we definitely needed to replace it as quickly as possible in order to offer as many cranes available for the container lines. I said there was some used cranes that we knew were available. There were some new cranes that were actually on the market, had been ordered for a steamship line, but were available for sale. We have looked at all of those options and determined that they will not give us a satisfactory replacement. Either the modifications to get them on site and operating at our particular facility would either take too long or be too expensive. So we had a pretty good opportunity with several cranes that were being built in Brazil for United States line, but the modifications that were necessary for them to fit at Dundalk Terminal would have made the price astronomical. So we talked to a number of crane manufacturers and have determined that there are four very fine well known crane manufacturers that can construct a new crane to our specifications and have it delivered on site and operating at Dundalk Terminal

within 12 months. So we are conducting a briefing session for those four crane manufacturers today at Dundalk Terminal.

MR. GOLDSTEIN: Right on that point. Now you got four you say?

MR. GREEN: Yes.

MR. GOLDSTEIN: Are any of them of the United States of America?

MR. GREEN: Yes. I'll give you the names of all of them. The very first one is Paceco Crane. They are from Gulfport, Mississippi.

MR. GOLDSTEIN: How do you spell that?

MR. GREEN: Paceco is P-A-C-E-C-O. They are from Gulfport, Mississippi. As a matter of fact that is the only U. S. manufacturer of cranes today. Second crane is a company from Finland. This is the Finn Systems -- F-I-N-N Systems Crane. They have offices in British Columbia in Canada. They have no U. S. offices. The third one is Kocks Crane from Germany. That's K-O-C-K-S. And the fourth one is IHI Crane manufacturer. They have offices in New York. This is a

Tokyo and Japanese company. They are manufacturing -- a manufacturer of fabrication. Were they to be selected it would either be done in Korea, Taiwan or Japan depending on the labor rates to be negotiated.

MR. GOLDSTEIN: I didn't get the -- IA somebody?

MR. GREEN: IHI.

MR. GOLDSTEIN: How do you spell the last name?

MR. GREEN: Well, it's three initials for IHI. It's a very long Japanese name.

MR. GOLDSTEIN: IH -- like in Harry?

MR. GREEN: H. IHI was the manufacturer of the crane that was knocked down.

So Item A-13 asks for your approval to go on expedited procurement request. We will ask for bids technical and price proposal from the four crane manufacturers with the understanding that they can deliver a crane within 12 months. We will have a penalty clause in there for every day that they exceed the 12 months and we expect -- our preliminary estimate

is that the majority of funds to pay for this crane will come from insurance recovery. The figure I have on the agenda item is our estimated figure at this time. It's a little bit less than what we estimate the crane cost to be because some of the parts, some of the machinery in the damaged crane can be salvaged and we will use them for spare parts. And until that is actually priced out we won't know the final price.

MR. GOLDSTEIN: I see you got here \$3,887,000.00 insurance recovery. Are you getting any money from the Evergreen Company?

MR. GREEN: That will be processed through the insurance company. I'm certain the insurance companies will make their case depending on whether it's a steamship line or the tugboat company or the pilot's association.

MR. GOLDSTEIN: So in other words you got three sources to recover money from, to come out whole? So what is this \$3,887,000.00?

MR. GREEN: This is our -- at least preliminary estimate of the amount that we would

recover from the insurance company.

MR. GOLDSTEIN: Your coverage?

MR. GREEN: Yes.

MR. GOLDSTEIN: That doesn't include any suits you may have against the other three parties?

MR. GREEN: It does not include that.

MR. GOLDSTEIN: So in other words you have no idea what this crane is going to cost. You have no estimate?

MR. GREEN: Well, we're making an estimate of \$4.2 million dollars.

MR. GOLDSTEIN: \$4.2 million.

MR. GREEN: But we do not have bids yet.

MR. GOLDSTEIN: But you're not going to let these people off are you, that caused this damage?

MR. GREEN: No, sir.

MR. GOLDSTEIN: Not going to just pat them on the hand and say don't let it happen again?

MR. GREEN: No. Our first responsibility though is to get the -- one to do the survey. Which it was done, and then to get the crane replaced.

MR. GOLDSTEIN: All right, thank you sir.

MS. MAURER: Has there been a report of the Coast Guard inquiry?

MR. GREEN: The Coast Guard inquiry has been held, but I have not seen the report.

MS. MAURER: Well, I heard it was difficult because they didn't have a translator and the captain of the ship didn't speak English.

MR. GREEN: The Coast Guard conducted the inquiry.

MS. MAURER: Yeah, actually it was -- my understanding is the insurance for the crane carried by the State is more than the 3.8. I don't know what the recovery is but the coverage was for the full value.

MR. GREEN: Yeah, the policy was for replacement value, but there is some salvage of some value there.

MS. MAURER: We'll keep on top of it.

MR. GREEN: Thank you.

MR. GOLDSTEIN: I move that we approve the agenda of the Department of Transportation except for

Item 4-C which was withdrawn.

GOVERNOR SCHAEFER: Second?

MS. MAURER: Second.

GOVERNOR SCHAEFER: No objections, so
ordered.

What's next?

MR. MCGINTY: Department of General Services.

MR. HEINEMEYER: I'm Heinemeyer, Department
of General Services. We have two items on the agenda
today. And I'll be happy to answer any questions you
may have.

MR. GOLDSTEIN: I have no questions. I move
we approve the Department of General Services.

GOVERNOR SCHAEFER: So approved. What's
next?

MR. MCGINTY: The secretary's agenda.

GOVERNOR SCHAEFER: Okay, what have you got?

MR. MCGINTY: The first of several items is
the wetlands. Questions on the wetlands items?

GOVERNOR SCHAEFER: I don't have any.

MS. MAURER: There were some items that were

added.

MR. GOLDSTEIN: I have a question on Item 3. Item 3, page 9, Department of Natural Resources Flood Management grant program.

MR. NELSON: We have Becky Hughes, who is the Director of the Flood Management Grant program for the Water Resources Administration.

MR. GOLDSTEIN: This is something new isn't it? Flood tax map overlays?

MS. HUGHES: No sir, we originally brought a request to negotiate for these products before the Board in June of 1985. And we have had under a different funding arrangement with the federal government and have prepared this type of overlays for a few counties and have proceeded to utilize them in a number of ways which we feel are very beneficial.

MR. GOLDSTEIN: What counties have you completed them for now?

MS. HUGHES: Currently?

MR. GOLDSTEIN: Yes, ma'am.

MS. HUGHES: If I may just from memory let

you know. The counties which we have complete mapping for were Worcester County, Somerset, Cecil County. We have portions of Allegany County. We have portions of Frederick and Carroll, although at this point the flood maps have been revised so we will be redoing those.

MR. GOLDSTEIN: Well, see it says here for non tidal counties.

MS. HUGHES: Yes, sir.

MR. GOLDSTEIN: Says for Worcester, Somerset and Cecil and Carroll Counties.

MS. HUGHES: Yes, the ones I have named are those for which we already have mapping, which -- mapping that was prepared under a federal contract.

MR. GOLDSTEIN: I see.

MS. HUGHES: The federal monies to do that are no longer available. We are pursuing only non tidal communities at this time because there is some -- there's been some suggestion that the Coastal Zone Management program may be able to provide some funding for the tidal communities. That's why we separated

them.

MR. GOLDSTEIN: In other words this is all now State money?

MS. HUGHES: Yes, sir.

MR. GOLDSTEIN: Uncle Sam has said he's not going to pay any more --

MS. HUGHES: Yes, sir.

MR. GOLDSTEIN: -- he loves you but he's not going to give you any more money.

MS. HUGHES: Well they give us money for some other things, but for this particular effort there are no more federal emergency management agency money. There may be some other federal --

MR. GOLDSTEIN: You have any money in your budget to do this?

MS. HUGHES: Sir?

MR. GOLDSTEIN: Do you have money specified in your budget to do this?

MS. HUGHES: Yes, sir. This is -- this will be funded out of our grant program funds. The flood management grant or bond funds that are allocated to us

by the General Assembly.

MR. GOLDSTEIN: Thank you for the explanation.

Governor I think you wanted some information on Item number 5, Maryland Food Center. I think we got Mr. Darnall here. There's Mr. Hyde, the legal advisor, the members of the staff, they're all good people.

MS. MAURER: My goodness, more information.

MR. DARNALL: Good morning.

MR. GOLDSTEIN: Two new members of the Board have never had one of these propositions put before them. Thought it would be a good idea to explain the background and what you're doing over there at the food center at Jessup and all that.

MR. DARNALL: Yes, sir. Good morning. My name is Don Darnall. I'm the Executive Director of the Maryland Food Center Authority. Agenda Item number 5 is specific to some property that we've worked up a lease with option to purchase. This is to document an understanding that was reached in the initial negotiations of a 10.6 acre parcel of land, under which

Mark M. Vandeyacht had indicated that he needed 20 acres to do his project and at the time we only had 10.6 available, and we told him that we would make available for an option to purchase the adjacent 9.4 acres of land. And this particular document formalizes that understanding. If there's any particular questions about this document --

MR. GOLDSTEIN: What is the purchase price?

MR. DARNALL: The purchase price -- he has six months from the day that the road, Tarbay Drive, is extended or until the end of this year to purchase it for \$75,000.00 an acre. And after the first lease payment which would occur six months after the Notice to Proceed on Tarbay Drive, or at the end of this year, the price of the land will be fair market value as appraised. \$75,000.00 was determined to be the fair market value today. And this particular lease agreement also -- the authority had to up front the money to run rail to this particular site. This particular agreement requires that the new owner would have to rebate the authority for the cost of bringing that rail up to the

site. And that is in the amount of approximately \$70,000.00.

MS. MAURER: It's nice to hear that we'll have new business coming in from Minnesota, and could you tell us a little bit about that?

MR. DARNALL: Oh yes. Yes, we worked with them for about two years. We worked side by side with the Chessie rail system. We have a real nice working relationship with Chessie in the sense that they have people that are interested in purchasing land that is rail served and if they fit the needs of the food industry in Maryland we generally work very closely with Chessie in trying to attract new industry into the State. This particular company is nationwide now. They have built facilities down in Texas as well as expanding up in the northwestern region of the United States. And when they came to the eastern -- well, to the east coast the Maryland Wholesale Food Center was one of the prime choices. And over a period of time we were able to negotiate an understanding where they would locate their business in Maryland. They're going

to be -- provide an integral part in the Food Center, which is incredibly important with the development of a consolidated food center in the sense that they will participate with the other companies already located in the Food Center. I know that they have recently taken a tour of Giant. They expect to work very closely with Giant in providing additional warehousing in the immediate area to their distribution center already located in the Food Center. And they're hoping to bring -- they are going to bring with them some of their customers that are not currently doing business in the State of Maryland, or doing it very sparsely. They're going to bring in customers and increase some of their trade in Maryland. So they're going to have a very nice economic impact on the State as well.

MS. MAURER: Good to hear, and I take it then that their service area will extend beyond Maryland.

MR. DARNALL: Yes. They're trying to -- what happens, what motivates them to go to different areas is that they work with a certain clientele that wants to store massive amounts of product in a particular

area and then distribute that product to local chain stores and Ma and Pa stores and some of the bigger chains. And in doing that what he does is they come in, they build the warehouse and they warehouse the product and then they distribute the product from that point to various locations where the public can receive the product. And so that's -- their main focus is to try to impact in the Maryland region and naturally because of the location of the Food Center they will be able to impact the Washington area as well, and northern Virginia area.

MS. MAURER: Thank you.

MR. DARNALL: If you would like some general information about the Food Center I'd be more than happy to expand on that a little bit.

MR. GOLDSTEIN: What is the status of this cold storage?

MR. DARNALL: We received proposals yesterday. We had several -- at the time we were negotiating with Cummings we had six different companies interested in building a cold storage

facility in the Food Center. And what actually instituted this whole cold storage interest was that about two years ago the authority initiated a market study where we'd actually go out and talk to those segments of the food industry that were not yet represented at the Food Center. And the meat and the poultry industry, as well as some of the existing industries in the Food Center, had indicated that there was a need for public cold storage. And this resulted in having about seven different companies indicate an interest in building a cold storage project in the Food Center. In order to make the process fair, what we do is we use the State's standard procurement process and we issued an RFP to those companies that were willing to purchase land from us for the building of a cold storage facility. And it has worked very well. We received proposals yesterday. We have an evaluation committee that will be meeting tomorrow morning to evaluate those proposals, and --

MR. GOLDSTEIN: How many you got now? Four?

MR. DARNALL: We originally had six people

that were interested, two of the people submitted proposals.

MR. GOLDSTEIN: Two out of six.

MR. DARNALL: Two out of six. We were -- the specifications in the proposal were more specific in that we were looking for somebody that had a good strong financial background as well as experience in the cold storage industry to build a facility that would be successful in supporting the other entities within the Food Center. So we're looking to have that project start underway this year and that will also hopefully generate some additional interest to the poultry and meat industry in coming out into the Food Center.

MR. GOLDSTEIN: Governor, Mr. Henry Hein, the Chairman of the Food Authority does a very good job and maybe Mr. Darnall may want to introduce him.

MR. DARNALL: This is Mr. Hein who is our chairman; Sandy Cohen is our Assistant Attorney General; and Charlie Rachinskis is the Deputy Director of the Food Center.

MR. GOLDSTEIN: They've done a good job out there. I would suggest we take a visit there after the legislature is over, and see exactly what's being conducted there.

GOVERNOR SCHAEFER: All right. We'll have the secretary raise that after the session's over.

MR. DARNALL: Thank you very much.

GOVERNOR SCHAEFER: Anything else on that one?

MR. GOLDSTEIN: Item number 7 Governor, the bonds have not been sold on that project. That's the Western Maryland Station Center up there at Cumberland. It's a very good project.

MR. MCGINTY: I just want to add that I've spoken with Mr. Keen at the State Rail Administration and they are assisting in any way they can with this project. They've lent some legal assistance and they've reviewed some plans and cost on it, and so they are assisting in any way they can with the project.

MR. GOLDSTEIN: It's a good project.

MR. MCGINTY: It probably will be funded out

of the general fund appropriation rather than selling the bonds. It's into that category

MR. GOLDSTEIN: I move that we approve the secretary's agenda.

MS. MAURER: Second.

GOVERNOR SCHAEFER: No objections, so ordered.

Next?

MR. MCGINTY: One Open Space item.

MR. GOLDSTEIN: I move we approve the Open Space Agenda.

MS. MAURER: Second.

GOVERNOR SCHAEFER: No objections, so moved. .

MR. MCGINTY: Budget and Fiscal Planning will be next.

Mr. Stettler?

MR. STETTLER: I have four items and three supplemental items. The first item is additional hardware for the Department of Personnel. That is computer hardware for the Department of Personnel. The second item is essentially some additional systems for

Garrett County, the people in Garrett County who run the energy assistance program in Garrett County. The third item --

MR. GOLDSTEIN: I have a question on the third item.

MR. STETTLER: The third item, yes sir -- there is someone here from Towson.

MR. GOLDSTEIN: Governor, Item 3-SMOD, page 3B. Rental for chairs and tables \$60,000.00. You can buy a lot of chairs and a lot of tables for \$60,000.00. It's like the tables we have here. We bring them in and we use them, we don't rent them every time we need them. We don't rent these chairs every time we need them. I'm a business man and I know the people use this probably pay for part of the rental, but you could still buy and still get your money, and make a little extra money.

MR. ECKELS: We've thought of that and we have one big problem. We don't have anyplace to store them, and we do have a considerable amount of equipment of our own already in storage that we use. This

equipment is a specialized equipment that we use for bull roasts, banquets, that sort of thing.

MR. GOLDSTEIN: I've been out there for all kind of events.

MR. ECKELS: I know you have.

MR. GOLDSTEIN: You're talking bull roasts, what's wrong with these kind of tables?

MR. ECKELS: Well, mainly they want round tables. And so you --

MR. GOLDSTEIN: I've been to a lot of bull roasts all over the State and they used square tables and they used what you call horses and put planks on top of them and they use picnic tables.

MR. ECKELS: Well, see we do the Tops in Sports banquet and the Governor was there this year. We go with what the customer wants and most of the time they require us to use round tables. And of course that is completely a pass through for us. We charge all that back. That \$70,000.00 is completely recoverable. And it also enables us to absolutely make money on top of that because we are able to host those

events there.

MR. GOLDSTEIN: In other words what you're saying is you make money on top of the rental?

MR. ECKELS: Sure.

MR. GOLDSTEIN: Even though it costs you \$20,000.00 to rent the tables for a big event?

MR. ECKELS: We pass that cost to the customer. That's part of his expense, and then we charge them also a rental rate on top of that.

MR. GOLDSTEIN: You rent the building?

MR. ECKELS: Sure.

MR. GOLDSTEIN: The cleaning, the lights, the toilet paper and everything else?

MR. ECKELS: That's right.

GOVERNOR SCHAEFER: The only reason that I guess I would go along with what you're saying that you don't have the storage space. But Louie is right, you could have the tables made by a small industry we could set up ourselves. I think he's absolutely right, we could make these tables and then you could rent them and all the pass through would be yours. The only

problem, I do understand lack of storage space.

MR. GOLDSTEIN: You say you'll check into that?

MR. ECKELS: Certainly will.

MR. GOLDSTEIN: I mean, don't misunderstand me. I deal with educational institutions, but a lot of times educators are good and educated when it comes to business, but money -- that's not their job.

MR. ECKELS: Well, we do generate one million dollars in revenues every year by doing these special events on our campus.

MR. GOLDSTEIN: I know, we got a very fine facility there, one of the best. They got adequate parking, off the main road and it's a great place.

MR. ECKELS: Yes, sir.

MR. GOLDSTEIN: I voted to build the place and been out there many times. But when I saw table and chair rental -- whew, man.

MR. ECKELS: We will look into it.

MR. GOLDSTEIN: I didn't get your name sir.

MR. ECKELS: Charles Eckels. I'm an

associate vice president at Towson.

MR. GOLDSTEIN: Thank you sir.

MS. MAURER: You want to put that on hold, or what?

MR. GOLDSTEIN: Well no, it's money already spent I suppose.

MR. STETTLER: They need to if they want to continue their activities.

MR. GOLDSTEIN: Right, it says March 18 to June 30. Mr. Eckels I'm sure you have a lot of events lined up the next several weeks haven't you?

MR. ECKELS: For the next three or four months, yes.

MR. GOLDSTEIN: Yes, this is seasonal.

MS. MAURER: So let it go?

MR. GOLDSTEIN: Yeah, I would think so.

MR. ECKELS: This is the first year of a three year contract.

GOVERNOR SCHAEFER: Wait a minute, what's this now?

MR. ECKELS: This is a supplement to a three

year contract.

GOVERNOR SCHAEFER: So you're renewing it for three years?

MR. ECKELS: This was -- we're into the end of the first year right now, yes, and this is to get us through this fiscal year.

GOVERNOR SCHAEFER: Get you what?

MR. ECKELS: We've broken it down into about \$20,000.00 for each fiscal year, and this gets us through this fiscal year.

GOVERNOR SCHAEFER: What you're going to do, your going to -- this will be passed by and you'll never come back again with Louie's suggestion. Louie's suggestion is good and there's ways to do it within the State, that we can do this ourselves, and what's going to happen? It's going to come back next time and have the time element against you, and you're going to just forget it. If I -- you could do this. There's no reason in the world this can't be done.

MR. ECKELS: We will look at it.

GOVERNOR SCHAEFER: Well, let's try it

another way. I not only would look at it, I would get me a good explanation on why. And if the explanation isn't good and you look at it and I look at it and I don't like the way you're looking at it, we'll look at it again.

MR. ECKELS: Understood.

GOVERNOR SCHAEFER: Now I just want you to understand -- up until that "we'll look at it stuff" I don't get very happy because that means to me "we'll do it our way." And I don't like that.

MR. ECKELS: I didn't mean it that way. We will come back with something.

GOVERNOR SCHAEFER: Just so long as we understand each other.

MR. GOLDSTEIN: Thank you.

MR. STETTLER: My next item is a contract for financing for equipment for the State. These purchases number quite a bit of equipment every year and we have found that it's more efficient and you get a better rate if we bid a single master installment financier rather than each time go to the vendor to provide

financing. We've already done one of these as you may recall, in December, and we saved about a million dollars. This should take care of the financing for this year.

MR. GOLDSTEIN: I made that suggestion several years ago. In all these different departments in this State buying all kinds of computers and equipment and paying big interest rates and I knew certainly there was a way to consolidate them and get bids from these different banks that we could save a lot of money. And how much did we save? A million dollars already.

MR. STETTLER: That's in the program that we approved, I believe in December -- no, first of January.

MR. GOLDSTEIN: Right. Just look at the different rates here from three banks. It's something isn't it?

MR. STETTLER: Yes.

MR. GOLDSTEIN: Is this -- this is interest on the balance?

MR. STETTLER: That is correct. It's on a declining balance, on the outstanding balance.

MR. GOLDSTEIN: Well you know there's a different way of computing interest, you know.

MR. STETTLER: Yes, there's many ways to compute interest.

MR. GOLDSTEIN: Well this is interest on the balance?

MR. STETTLER: Yes, the outstanding balance.

MR. GOLDSTEIN: On the outstanding balance. I just wanted to be sure. Thank you, that's a good program.

MR. STETTLER: 5-S is an item which I am hand carrying. It has to do with the contract that we'll use for the financing that we've just -- you've just approved. This is a program for computerization in the Division of Vital Records for the Department of Health and Mental Hygiene.

MR. GOLDSTEIN: In other words, when this thing goes into effect -- suppose I sent up there for any part of birth records. They ought to be able to

just punch that in the computer and get a printout, shouldn't they?

MR. STETTLER: They should, yes.

MR. GOLDSTEIN: Save a lot of time.

MR. STETTLER: Death certificate.

MR. GOLDSTEIN: Shouldn't take forever to get it?

MR. STETTLER: Should not. I mean this system has been inspected lately and it's found -- it's very difficult, it's very manual oriented, it's all paper, it's hard to find things.

I might comment that there's money in the '88 budget for it. There's a deficiency appropriation in the Governor's budget for this year to fund it right away so it doesn't have to wait until the next fiscal year.

GOVERNOR SCHAEFER: Another thing is not to let this drag. Now who watches to see, you know, they take their time up there. And they don't like to get disrupted by being pushed on anything.

MR. STETTLER: The Department of Health and

Mental Hygiene has a management information systems group that oversees this and other computerization.

GOVERNOR SCHAEFER: Who overlooks them?

MR. STETTLER: Pardon?

GOVERNOR SCHAEFER: Who overlooks them every once in a while?

MR. STETTLER: The management of the department. I mean Adele Wilzack is very committed to getting more and more of her activities automated.

The last item I have is --

MR. GOLDSTEIN: I tell you, this is so important that -- practically everybody today has to have a birth certificate to get any kind of a job you apply for. And years ago people used to stick them off in a compartment and you can't find them.

MR. STETTLER: The last item is an item that follows an item we brought up last time. It's an award for compensation pursuant to Article 78A, Section 16A, which provides that the Board of Public Works may in its discretion grant from the general emergency fund to each person erroneously convicted, sentenced or confined

under the law of the State for a crime he did not commit. The law provides that the Board may make an award provided that the person has been fully pardoned. The law department has reviewed all of the applications of Mr. Leslie Vass and has determined that he meets the test of the law, so that the Board -- what is being proposed here is a initial payment to Mr. Vass of \$15,000.00 and then for six years a set of monthly payments that are listed in annual rate on the item, and a final payment at the end of the sixth year of \$18,000.00. In addition the State will assist Mr. Vass in obtaining educational and career assistance and counseling.

GOVERNOR SCHAEFER: This also means that if Mr. Vass would get a job with the State or a municipality or the federal government he would still be getting this?

MR. STETTLER: That is correct.

GOVERNOR SCHAEFER: Fine.

MR. STETTLER: I might make a comment that the law, there's another piece in the law that deals with

the lawyer's fees and collections on this. The law says the Board may not make an award to any individual who helps the individual collect such money, nor may that individual use any of their money to pay for such services.

And that is the final item on my agenda, sir.

GOVERNOR SCHAEFER: Motion?

MR. GOLDSTEIN: Yes, I move we approve the Department of Budget and Fiscal Planning agenda.

MS. MAURER: Second.

GOVERNOR SCHAEFER: No objections, so ordered.
What's next?

MR. MCGINTY: That's it.

MR. J. EDWARD DAVIS: Governor, may I be heard for one moment? My name is J. Edward Davis and I'm an attorney and I have been representing Mr. Vass for some months. We assisted him initially in obtaining a pardon from Governor Hughes in August of 1986. I know you have just acted on his request. I have one concern, and my concern is simply that we have been seeking to have this matter placed on your agenda since the early fall of

1986. For whatever reasons, and perhaps very valid reasons it had not been. However, I was assured earlier this year by officials of the Board of Public Works that we would be advised in advance of when the matter would be placed on the agenda so that we could have Mr. Vass here and so you could all at least meet him and hear from him after he has spent 10 years in jail for a crime which he did not commit. I was told earlier this week that this matter would not be on your agenda this week. It wasn't until, I suppose, within the hour that I was in fact advised by the press that it was on the agenda. There were certain matters we wanted to point out for you. I was requested by the Attorney General's office some time ago to advise the State what I thought Mr. Vass should be entitled to after 10 years in jail wrongly. It's difficult. But I did put that in writing, what I thought it was worth, and I wanted to express that to you before a decision was made.

I don't know if anyone knows what it's worth to spend an hour in jail. But I do feel very strongly that Mr. Vass is entitled to considerably more money

and more compensation than the Board has awarded. I know what you've done, in that I was told as I walked in here. I haven't seen it in writing, and I think that if you are at a poverty level you appreciate any amount of money that the State can make available to you. No question about it. And I don't know how an amount of money reached. But I believe it's a quarter of a million dollars over a period of time. I don't quarrel with fairness, I quarrel a little bit -- perhaps more than a little bit -- with amounts. I know of situations, and I have them in my file in Baltimore, I don't have them here because I didn't know this was going to be on the agenda, of some situations in other States where considerably more compensation has been awarded. I don't know if that has been considered by the Board.

I look at this matter simply as the common denominator of every citizen of our State. It has nothing to do with your lost income. It has nothing to do with your family circumstances, and it certainly has nothing to do with your future income or your education.

It has to do with what everybody in this country has the basic right to, and it's liberty. And I think -- I think if a 17 year old is put in jail for a sentence of 20 years and protests -- and I believe I did give you all the documents of the number of people, of officials, that he contacted over those 10 years for help. He was reaching out and saying my God help me, I didn't do this. And finally 10 years later there was a young investigator of the public defender's office that got involved. And I don't know, I look -- and I look at Leslie and I say -- I thought of it last night, and I had a wonderful meal right around the corner at the Hampton House and I thought of Leslie Vass having prison food for 10 years. And I think of Leslie Vass not even having the privacy of a shower for 10 years. And Leslie Vass living in a cell in almost every jail in the State. At one point I thought he needed a travel agent because they kept sending him to every jail throughout the State. He was stabbed twice.

So I say it was that deprivation of liberty and that's what I wanted the opportunity to speak about.

And just in this year of celebrating our Constitution, and I did read recently of one -- there are a lot of articles now in the papers about it, and I think it's true. Truer today than ever, when one of our great patriots said, "Give me liberty, or give me death." Well Leslie Vass was as close to death as you could get when you're looking at liberty.

So I said, in writing -- and you all have it, I don't what it's worth. But I think your liberty is worth a dollar a minute. That's what I suggested. And I still suggest it and I ask that you take further consideration of this matter in that light. I really do. I read about people in every walk of life winning millions of dollars on gambling, on the lottery; and here's a man who has lost 10 years of his life and maybe a permanent scar for the rest of his life, and I do suggest that sincere, further consideration be given as to what this young guy has lost. I really do.

He came to my office through an organization in Baltimore City called Maryland New Directions, which is an outstanding organization assisting inmates in

rehabilitation and other matters. And when we looked at it we said this guy needs help. And that's why we wanted -- and I suppose I'm more accustomed to being in courtrooms than administrative hearings, and I know the law doesn't call for an actual hearing. But we thought we would have perhaps a somewhat more extensive forum here.

GOVERNOR SCHAEFER: What would you like to have? Let's assume that we would postpone this. Do you want to come back next week, and --

MR. DAVIS: Well, I'd would say this --

GOVERNOR SCHAEFER: -- and go over --

MR. DAVIS: I would like -- if I were sitting on that side of the table I would like to at least see Leslie Vass. I'd like Leslie Vass to be standing here and say, "here I am." And, you know, so you can hear from him. That's what I have wanted mostly for six months and have never got --

GOVERNOR SCHAEFER: You want to do that?

MR. DAVIS: Indeed.

GOVERNOR SCHAEFER: All right. If Louie -- if

the Comptroller and the Treasurer agree I'd be agreeable. Now you're making it sound like we didn't agonize over this. Everything that you've said Lucy has said and Louie has said and I've said.

MR. DAVIS: I'm sure you have.

GOVERNOR SCHAEFER: That the price of a minute of unjustified confinement, what do you do for a person. We had Mrs. Leader work with him. You know, we're in a tough -- you can't get paid, you can't work with lawyers on this.

MR. DAVIS: I know.

GOVERNOR SCHAEFER: And so there is a restriction on what we can do as far as lawyers are concerned. You can't get any of the settlement money.

MR. DAVIS: You know what I want for this? Nothing.

GOVERNOR SCHAEFER: I know.

MR. DAVIS: And I put that in writing back in August. I want nothing.

GOVERNOR SCHAEFER: If you're just a friend working with him, that's fine. I'd be more than glad.

MR. DAVIS: I'm not even a friend. I'm just an attorney that's trying to help somebody and I appreciate we will have him here next week. That's what I would -- I'd like you to see --

GOVERNOR SCHAEFER: Now when you come back next week and how you can gauge what a minute of freedom, lack of freedom is, why you didn't sleep -- I don't know -- I'm sure that Louis didn't sleep. This is a major thing. How do you price an hour in jail?

MR. DAVIS: I don't know.

GOVERNOR SCHAEFER: And what can we do to try to put him back into some semblance of liberty? Medical health? Psychological health? Educational health? All these things have been gone over for weeks.

MR. DAVIS: I'm sure they have.

GOVERNOR SCHAEFER: And the other side of it is he wants to get this over with.

MR. DAVIS: That's why we've been asking since September to get down here. And I appreciate --

GOVERNOR SCHAEFER: Well, it got here as quickly as I could get it here, and as Louie could get

it here and Lucy. I have no -- do you have any objections Lucy?

MS. MAURER: No, but I was concerned that he's had only a thousand dollars as advance money and he may need rent again and food and I don't know whether you want to rescind this --

GOVERNOR SCHAEFER: I'd like to leave it and come back and take action --

MS. MAURER: He may need some additional funding to --

GOVERNOR SCHAEFER: Well then I would move that we could advance him another thousand dollars during this coming week if he needs it.

MR. GOLDSTEIN: I certainly have no objection to him coming here.

MR. DAVIS: I certainly thank you. We'll have him here at 10:00 next week.

MR. GOLDSTEIN: I been on the Board -- this makes my 29th year and we've had other cases where we've paid other people who've been incarcerated.

MR. DAVIS: I have the records on that.

MR. GOLDSTEIN: I have no objection to this fine gentleman coming here with you or anybody else.

MR. DAVIS: I thank you.

GOVERNOR SCHAEFER: See, there's another element that's in here. And that's the element that I get request after request after request -- I'm innocent.

MR. DAVIS: Often. I get them too. I know that problem.

GOVERNOR SCHAEFER: We try to make an investigation and if there's any -- if there's anything in there that we can possibly do we try. The other side of this is Mr. Vass is getting out now after 10 years. Every prisoner that's been in there 10 years -- that was guilty I'm talking about -- he goes out with zero.

MR. DAVIS: Oh, sure. I know that.

GOVERNOR SCHAEFER: And there's something wrong with a system that all of a sudden you put a person out without being able to try to help them, and we spend millions of dollars to put them in, but on the other hand -- and Louie and Lucy talked about this in our meeting in there in great detail. And the answer is

where's the money? And there has to be an answer to this because there's halfway houses, there's jobs.

Louie talked about a program he initiated for meatcutters --

MR. GOLDSTEIN: Mechanics.

GOVERNOR SCHAEFER: Mechanics, welders and all the rest. But every person that leaves after 10 years, what does society owe them? Now we owe this man something very special because he wasn't properly there. But after we put everybody out on the street there's a great chance they're going to be right back in again because we take no action.

MR. DAVIS: I'm pleased to hear that. We need a much stronger rehabilitation program. I do refer you and your staff to the organization known as Maryland New Directions, which does a remarkable job of rehabilitation. Remarkable. And I think there could be help given to them. The General Assembly has helped them little. Look into it.

Thank you.

MR. MCGINTY: Just one point. The meeting

next week is at 9:00 o'clock, not 10:00. On the 25th.

GOVERNOR SCHAEFER: That's Maryland Day.

(Whereupon, at 11:45 the meeting was
adjourned.)